



Palestine

LONDON, December 11, 1940.

No: 6390

Subject: Illegal Jewish Immigration into Palestine.

The Honorable

The Secretary of State,

Washington.

Sir:

Referring to the Embassy's telegram No. 3784, November 19, 5 p.m., concerning illegal Jewish immigration into Palestine, I have the honor to transmit an excerpt from Hansard giving the text of a statement made in the House of Commons on December 4th last by Mr. George Hall, Under-Secretary of State for the Colonies, in reply to a question concerning the future status of the 1,771 illegal Jewish immigrants who recently arrived at Haifa.

Mr. Hall remarked that His Majesty's Government had decided that these persons and any further similar groups who might succeed in reaching Palestine with a view to illegal entry should be sent to a British colony for detention for the duration of the war. According to

the/

the press, the island of Mauritius is the colony chosen.

Mr. Hall informed the House that the Government as an exceptional act of mercy and after taking into consideration the harassing experience of the refugees on the s.s. PATRIA - which sunk in Haifa Harbor on November 25th last after an explosion - this ship's passengers would be permitted to remain in Palestine with their number being deducted from the next immigration quota.

Respectfully yours,

Herschel V. Johnson,  
Chargé d'Affaires ad interim.

Enclosures:

5 copies of Hansard, December 4th, 1940, House of Commons, cols. 531-532.

ANS:IW.

Enclosure No. ....  
from the Embassy

6390. of December 11, 1940.

SOURCE: PARLIAMENTARY DEBATES, NUMBER:  
House of Commons,  
4 December 1940.  
London. Cols. 641-644.

COMMONS (Jewish Immigrants) 642

They were not allowed to land. Instead of that, the Palestine administration got permission from the British Government to secure a ship, the *Patria*, on to which 2,000 of these refugees were packed to be sent away to Mauritius, where they were to be put into a concentration camp and kept for the rest of the war.

*It being the hour appointed for the interruption of Business, the Motion for the Adjournment of the House lapsed, without Question put.*

Question again proposed, "That this House do now adjourn."—[*Mr. Boulton.*]

**Mr. Wedgwood:** Anyone who knows the feelings of these people who arrived in Palestine where their friends are, from the most terrific persecution, and then appreciates that these people suddenly discovered that they were to be sent away for years into a concentration camp, from which they had escaped in Germany, would understand immediately what happened. They were not going to be sent to a concentration camp. If I had been one of them I should have done as they did. By some means or other they managed to blow a hole in the ship and to sink it. It went down in Haifa Harbour and 300 are missing. The rest have been re-arrested and are now in a camp. The reason for this is that the pre-war policy of the Palestine Government must be continued during the war.

I would ask the Government to realise what has been the result. At this time, when we can least spare a single ship, particularly in the Mediterranean, when every ship is wanted for carrying munitions or men to Greece, when our shipping situation has never been so bad as at the present time, one of these ships is thrown away in this manner to carry out a policy which, whatever we may think of it politically, must appear to the whole world to be inhumane. We have pleased Hitler. We have disgusted liberal sentiment throughout the world, particularly in America, and the policy which is being carried out is diametrically opposed to an energetic prosecution of the war. Just at a time when Hitler is collecting slaves from every one of his conquered lands to work in his workshops and his fields, we refuse the offer of 2,000 people, 1,000 of whom would be qualified either to join the Army or to work in the workshops or the fields of Palestine. We have refused

**PALESTINE (ILLEGAL JEWISH IMMIGRANTS).**

Motion made, and Question proposed, "That this House do now adjourn."—[*Mr. Boulton.*]

**Mr. Wedgwood:** I want to raise a question which I brought up at Question time to-day, not with a view to getting a reply, but in order to tell the Government of the dangers of the course that is being pursued in Palestine in regard to refugees. Two ships arrived at Haifa loaded with refugees from Hitler's Germany and Rumania. After incredible hardships these people had reached Palestine, where their friends and relations were living. They were not allowed to land, although, before the war, immigrants equally without authorisation had been allowed to land and their numbers had been deducted from future quotas of legal immigrants.

them permission to work, and we sent them off, at immense cost to the British taxpayer, who really is meeting a large enough bill already, to an island in the Pacific where they are kept at a cost of at least £100,000 a year for the rest of the war. Instead of using these people's arms and brains we have allowed them to be idle. Here we are constantly keeping people idle and out of work, for no earthly reason except to preserve the consistency of the Palestine administration in protecting the Arabs, just as the Germans are protected in Germany, from contact with this "inferior" race. The argument which has been used to me is equally futile at the present time.

It has been said, "But the economic position in Palestine is so bad that if we allow these people in it will increase unemployment." If it is anyone's right to keep people out of a country because it will increase unemployment, it is the right of the workers in that country to make that complaint. The workers in Palestine not only did not make that complaint but nearly went on strike in order that these people might land. Why is the economic position in Palestine so bad at the present time? There is a large Army there; a large amount of money is being spent in the country, and the prosperity which has come in full measure to Egypt by keeping out of the war and having us fight for her should also be found in Palestine. But the tragedy is that the oranges and other fruit produced in Palestine can no longer be imported into this or any other country because ships are not available. I am very sorry for the people who cannot sell their oranges. I am very sorry for the people who cannot eat those oranges. But that is part of the tragedy of the war which happens in any case. But here there were 2,000 people which could have been kept alive for quite a long time on the oranges that would otherwise have been exported, and to say that the economic position in Palestine is bad when there are large surpluses of food-stuffs in that country seems to me rather ridiculous.

The point I want to make is twofold: It is against squandering our man-power by putting them in concentration camps and thereby preventing the production of those war materials and foodstuffs which we have been debating to-day, and, on the other hand, the criminal folly of throw-

ing away our ships on that sort of work when they are wanted in other ways. I hope we shall be told whether the throwing away of the "Patria" was necessary or not, that such a thing will never be repeated during this war.

**Miss Rathbone** (Combined English Universities): Before my right hon. Friend sits down, may I ask him whether he has any evidence for the extremely serious statement which he made that the illegal immigrants on the "Patria" deliberately blew it up. It is something so serious that it ought not to be said, unless there is evidence for it, that it was a mass suicide combined with an effort to destroy the ship and its crew.

**Mr. Wedgwood:** I have no evidence of it except my knowledge of the Jewish people and my knowledge that certain of them had previously jumped overboard from ships in Haifa harbour.

**Miss Rathbone:** It is one thing to jump overboard and another to destroy a ship, including the crew.

**Mr. Wedgwood:** I dare say not all of them were responsible, but some one of those 2,000 people must have been responsible for blowing up the ship, and, as we know, bombs are made in Palestine.

**The Joint Parliamentary Secretary to the Ministry of Supply (Mr. Harold Macmillan):** I hope my right hon. Friend will not think it a discourtesy on my part if I do not attempt to answer the question he has raised. Owing to some misunderstanding, although at Question Time my right hon. Friend stated that he intended to raise the matter on the Adjournment. I do not think my hon. Friend the Joint Parliamentary Secretary to the Home Office was informed that it was intended to raise it this afternoon. It was understood that it was rather intended to raise it after due notice at some other convenient time.

**Mr. Wedgwood:** I spoke about it to my right hon. Friend yesterday and said I would raise the matter on the Adjournment. I said it again at Question Time to-day, and I thought he understood that I meant to-day.

Question, "That this House do now adjourn," put, and agreed to.

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*Palestine*  
DEPARTMENT OF STATE

Memorandum of Conversation

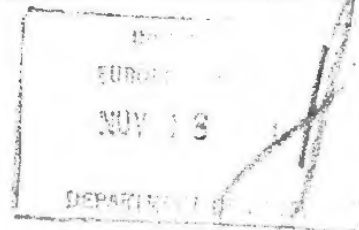
*W. Welles*  
DATE: *W. Welles*

November 16, 1940.

*W. Welles*  
SUBJECT:

PARTICIPANTS: Rabbi Wise,  
Dr. Goldman,  
Mr. Ray Atherton, Acting Chief, Division of European Affairs

COPIES TO: U - Mr. Welles  
NE



By reference from the Acting Secretary's office Rabbi Wise and Dr. Goldman called on me this morning to explain that they had received word from Syria that 1700 Jews, 1000 men, 600 women, and 100 children of German or other enemy origin were on board a Greek ship off Palestine and were not being permitted to land. This ship had made the trip via the Cape and now the British High Commissioner, MacMichael was suggesting that it should proceed to land these refugees at Mauritius. Rabbi Wise argued that if Mauritius was British territory so also was Palestine. Rabbi Wise was anxious that the Department should send a query through the American Embassy in London to inquire of the British authorities there whether this

report

report from Syria was correct. He said he very much hoped the story would not break in this country since it was bound to upset Jewish opinion here and particularly at a moment when Jewish philanthropy in this country was interesting itself in the question of relief to Jews in England. So far he said none of this story had appeared in the Yiddish press in this country. I informed Rabbi Wise that I would make a memorandum of the conversation and would endeavor to see it reached the Acting Secretary's hands today.

Does Mr. Welles desire that this Division draft a pro forma inquiry through Chargé d'Affaires Johnson in London?

Ray Atherton



Eu:RA:EJD



TELEGRAM SENT

EH

GRAY

November 16, 1940

7 p.m.

AMEMBASSY

LONDON (ENGLAND)

4010.

You may, at the request to us of interested Jewish groups in the United States, make a pro forma inquiry of the Foreign Office as to the veracity of reports which have been received by Jewish circles from Syria to the effect that the British authorities in Palestine will not permit 1700 refugees of German and Austrian origin to land from a Greek ship now off the Palestine Coast and are suggesting that they proceed to Mauretius.

WELLES  
ACTING  
(RA)

Eu:RTP:CMS

No. 1289

AMERICAN CONSULATE GENERAL  
Jerusalem, Palestine,  
May 6, 1940.

Subject: Issuance of Palestine Immigration Schedule  
for Period beginning April 1, 1940; Notes  
on Recent Illegal Immigration.

The Honorable

The Secretary of State,  
Washington.

Sir:

I have the honor to refer to my despatch No. 1286 of May 2, 1940, forwarding a copy of the 1939 Annual Report of the Palestine Department of Migration and informing the Department that a separate despatch was in preparation to report upon an Order of the Palestine Government establishing a schedule for the issuance of immigration certificates for the period beginning April 1, 1940.

1/ The Order relating to the new Immigration  
Schedule, which was published in the Palestine  
Gazette No. 1002, of April 22, 1940, was the subject  
of my telegram No. 25 of April 25, 1940, a confirma-  
tion copy of which is enclosed. Copies of the Order  
and the "Explanatory Note" published with it are also  
2/ transmitted herewith.

The Explanatory Note, it will be observed, is complete in itself as an account of the reasons for the issuance of immigration certificates, of the provisions of the new schedules, and of the policy

which/

which the Government intends to follow in future schedules. Only a brief additional comment, it is thought, is required in this despatch which will, therefore, in accordance with past practice: 1) Review the current legislation; and 2) Submit and discuss briefly such information as is available regarding the closely related subject of illegal immigration into Palestine during the quarter ended March 31, 1940.

It will be recalled that, as a result of a marked increase in Jewish illegal immigration, it was decided in July 1939 to suspend the issuance of immigration certificates for Jews during the period from October 1, 1939, to March 31, 1940, as a measure designed both to counterbalance the illegal immigration which had already taken place and to discourage further like evasion of the Palestine immigration laws. In announcing this decision in the House of Commons, the British Colonial Secretary said that resumption of immigration quotas after March 31, 1940, would depend upon the circumstances then prevailing. This announcement of the Colonial Secretary and the Jewish reaction at the time were reported in my despatch No. 1018 of July 21, 1939.

The new Order, published on April 22, 1940, is intended to permit the resumption of Jewish immigration in accordance with the policy enunciated in the British White Paper of May 17, 1939, which, as mentioned in previous despatches, made provision for the

entry/

entry of 10,000 Jewish immigrants annually for five years beginning April 1, 1939, plus 25,000 refugees to be admitted as soon as "adequate provision for their maintenance is ensured." It will be noted that the new Order provides for the deduction from this special "refugee" quota of the recorded illegal immigrants entered between April 1, 1939 and April 1, 1940, and that the first of the newly announced quotas or schedules is for the two months of April and May 1940 only, with provision that succeeding bi-monthly quotas shall be decreased by the number of illegal immigrants entering during the immediately preceding bi-monthly period.

This first new quota for April and May 1940 provides for the issuance of 2,050 immigration certificates (1,950 for Jews) to individual immigrants, and of such additional certificates as are needed for wives and children of such immigrants and of immigrants previously admitted. The Explanatory Note with the Order estimates at 3,000 the total number of certificates to be issued inclusive of wives and children, thus making for the six months' period from April 1, to September 30, 1940, a total of 9,000, if no further deduction is made for illegal immigrants.

An analysis of the "Immigration Account" in the Explanatory Note reveals that, if the contemplated rate of immigration is continued until April 1, 1941, the White Paper policy with respect to 10,000 annual immigrants will have been carried out for a two year

period/

period, and that, within this period, all or practically all of the specially authorized 25,000 refugees will have been admitted.

Jewish press comment expresses disappointment that the quota of immigrants permitted by the new Order is not larger, arguing that, in view of the increasing persecution of Jews in some European countries, there is even greater reason than before to permit Palestine to be used as a haven of refuge. Criticism, however, centers principally against its special provision that certificates shall not be applicable to persons who have resided in enemy territory after the outbreak of war or in enemy-occupied Poland after October 1, 1940. The obvious purpose of this provision is to avoid the entry from enemy territory of persons, Jews or non-Jews, who might be acting as enemy agents.

The Palestine Post, in an editorial of April 26, 1940, argues that this new provision is unreasonable, as it is difficult to conceive that Jews would act as enemy agents, and adds that, in any case, responsible Jewish authorities have more than once offered their services to the Government in order to ensure a scrutiny of prospective immigrants that would prevent the entry of undesirable persons. Continuing, the editorial says:

What, however, makes this exclusion almost incomprehensible is its extension to persons of all classes and ages. Even children of tender age, and old infirm persons who have no other desire but to live their last few years near their dear ones in Palestine, are subject to absolute prohibition. Surely, even immigration regulations enacted under the White Paper should be tempered with a modicum of humanity.

Excerpt/

Except for this ground for objection from a Jewish point of view--namely, concerning the exclusion of all persons from enemy territory--it would seem that the Jews have little cause for complaint, at least on the basis of non-compliance with the White Paper immigration policy. Indeed, it seems that the Government in permitting the entry of the remainder of the 25,000 refugees has decided to ignore an important condition concerning the refugees laid down in the White Paper. This condition was that refugees should be admitted "as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured." In view of present widespread unemployment among Palestinian Jews and of the experience of previous refugee arrivals, it can hardly be held that refugees, without resources of their own, will find adequate provision made for their maintenance.

From various informal conversations I have had with local British officials and with Jewish leaders, I have gathered the impression that a sort of "gentleman's agreement" may have been made to overlook the conditions regarding maintenance for refugees, in return for an undertaking by the Jewish Agency to exert its influence to discourage, in so far as possible, further illegal immigration.

My despatch No. 1207 of January 24, 1940, discussed at length the large increase of Jewish illegal immigrants in 1939, with reference particularly to their arrival in shiploads from Southern European ports and to the efforts

of/

of the Government to check the traffic. Further information relating to illegal immigration in 1939 was given in my despatch No. 1286 of May 2, 1940, which referred to the recorded illegal immigration figure, 12,442, as given in the Department of Migration's report, and estimated the number of illegal entries not recorded at between 3,000 and 6,000, making a total illegal immigration of between 15,000 and 18,000.

In the Explanatory Note of April 22, 1940, published with the enclosed Order, the figure of 15,489 is given as the number of recorded "immigrants unlawfully arriving and/or remaining in Palestine" during the period from April 1, 1939 to February 28, 1940. Apparently, at the time of drafting the Order, statistics relating to illegal immigrant arrivals during the balance of the quarter were not available. It is known, however, that no shiploads of illegal immigrants arrived during March 1940 and that only a very few (probably not a score) of illegal entrants were apprehended.

Thus we may take the figure of 15,500 as closely approximating the total number of illegal immigrants for the year ended March 31, 1940, and, if we then subtract the number of recorded illegal immigrants (643) for the first quarter of 1939 from the total recorded figure for that year and the resulting figure (11,799) from our figure of 15,500, the remainder (some 3,700) represents the number of recorded illegal immigrants for the first quarter of 1940.

Actually/

Actually, according to official information furnished me confidentially (particulars regarding arrivals of vessels carrying illegal immigrants being no longer published), 3,406 of the recorded illegal immigrants arriving during that quarter were transported by the following three vessels:

An unnamed "auxiliary motor schooner" which landed 502 persons near Haifa on January 8, 1940.

The S.S. "Hilda" (formerly the S.S. "Aghios Nicolaos"), intercepted at sea by the Contraband Control Service and brought into Haifa on January 17, 1940, for examination. The vessel was found to have 728 illegal Jewish immigrants on board, the large majority of whom held German or Czechoslovakian passports. The master and crew of the vessel and its passengers, excepting a proportion of the women and children, have been detained.

The S.S. "Sakarya", flying the Turkish flag, similarly intercepted at sea by the Contraband Control Service and brought into Haifa on February 13, 1940. It carried 2,176 illegal Jewish immigrants, the majority of whom held German travel documents. There were also a number of Hungarian, Polish and Slovakian subjects. The master and crew of the vessel and its passengers, excepting a proportion of the women and children, have been detained.

As noted in my Press Review of April 2, 1940, the possibility that enemy agents might be among the illegal immigrants entering Palestine was the subject of a query put to the British Colonial Secretary in the House of Commons on March 20, 1940. He replied in the affirmative, adding that "though local enquiries had not produced any conclusive proof, the High Commissioner had strong reasons for suspecting that passengers on two ships of illegal immigrants had included German agents"; that "these, with other immigrants, were being detained"; and that "the Government were taking various measures to suppress traffic in illegal immigrants".

Apparently/



Apparently the two ships referred to are the two most recent arrivals, the S.S. "Hilda" and S.S. "Sakarya", mentioned in the foregoing paragraph.

Finally it may be mentioned that by "Defence (Immigration) Regulations, 1940" published in the Palestine Gazette of March 18, 1940, further and more stringent measures were authorized in proceedings against persons not entitled to enter Palestine if apprehended aboard a vessel in the country's territorial waters, and against the owner, agent or master of vessels bringing illegal immigrants. A copy of these most recent regulations is 3/ enclosed. As stated therein they are "in addition to and not in abrogation of any other law"; i.e., the Immigration Ordinance and amendments thereto reported in my despatch No. 926 of May 3, 1939.

The main purpose of the new regulations, I am informed by an official of the Department of Migration, is to re-define certain offenses and otherwise to render easier the task of the prosecution authorities, notably in matters relative to the admissibility of evidence and proving of documents. Owners, agents and masters of vessels, who could heretofore be proceeded against only on a charge of "aiding and abetting" illegal entries, are now made guilty of an offense if the vessel is found in territorial waters having on board "prohibited immigrants". The maximum penalty in the case of an owner, agent or master, formerly a fine of LP.1,000 and/or imprisonment for two years on a charge of

aiding/

"aiding and abetting," is changed for an offense under the new regulations to a fine of LP.1,000 and/or imprisonment for eight years.

True copy of the  
original signed by

Respectfully yours,

George Wadsworth  
American Consul General

Enclosures:

- 1) Confirmation copy of telegram.
- 2) Order relating to Immigration Schedule, published April 22, 1940, with Explanatory Note.
- 3) Defence (Immigration) Regulations, 1940.

File No. 811.11  
AWS/GW/41

Enclosure No.1 to Despatch No.1289 of May 6, 1940, on the subject of "Issuance of Palestine Immigrant on Schedule for period beginning April 1, 1940; Notes on Recent Illegal Immigration" from the American Consulate General, Jerusalem.

CONFIRMATION COPY

Secretary of State,  
Washington, D.C.

25 April 25, 2P.M. By an order dated April 22 made under section 5A of the Immigration Ordinance the High Commissioner has authorized the issuance during the first two months of the semester begun April first of 2,050 immigration certificates to individual immigrants and of such additional certificates as are needed for wives and minor children of such immigrants and of immigrants previously admitted.

An appended Explanatory Note estimates at 3,000 the total number of certificates to be issued under this order and announces as a matter of policy that there will be issued during each of the succeeding two bi-monthly periods of the semester a similar total minus the number of illegal immigrants recorded during the immediately preceding bi-monthly period, thus providing for an estimated total immigration of nine thousand during the current semester. Of the 2,050 figure, 1,950 certificates are reserved for Jews.

According to the Note, total immigration during the year ended March 31 was approximately 26,000 of which 10,500 was legal, the remainder being made up of immigrants recorded as unlawfully arriving and or remaining. Ten thousand of this total are therefore charged to last year's authorized immigration quota and 16,000 to the special five years refugee quota, thus leaving 9,000 of the latter unfilled.

Of the current semester's estimated total immigration, 3,000 is to be charged against the year's authorized immigration quota of 10,000 and 4,000 against the remainder of the refugee quota.

The significance of the new order lies in the fact that after six months suspension, imposed to counterbalance illegal immigration, Palestine's immigration regime has been brought back in line with that announced in the British White Paper of last May.

An interesting modification provides that no certificates shall be issued to persons who have resided in enemy territory after the outbreak of war or in enemy occupied Poland after October first.

WAINWORTH  
American Consul

Enclosure No. 2 to Despatch No. 1289 May 6, 1940, on the Subject of "Issuance of Palestine Immigration Schedule for Period Beginning April 1, 1940; Notes on Recent Illegal Immigration" from the American Consulate General, Jerusalem.



**Supplement No. 2**  
to the  
**Palestine Gazette Extraordinary No. 1002 of 22nd April, 1940.**

**IMMIGRATION ORDINANCE.**

**ORDER BY THE HIGH COMMISSIONER.**

IN VIRTUE of the powers conferred on the High Commissioner by section 5A of the Immigration Ordinance, His Excellency is pleased to order and it is hereby ordered as follows :—

The maximum aggregate number of immigration certificates in all categories that may be granted during the period from the 1st April, 1940, to the 31st May, 1940, shall be as follows :—

2,050

and such additional certificates in category D as shall suffice for the admission as immigrants of wives and children under the age of eighteen years completed of immigrants arriving during the period and of immigrants who arrived before the beginning of the period.

By His Excellency's Command.

J. S. MACPHERSON  
*Chief Secretary.*

22nd April, 1940.

**EXPLANATORY NOTE.**

**1. GENERAL.**

The quota prescribed in the order given above provides for the grant during April and May, 1940, of immigration certificates to 2,050 persons together with their wives and minor children and, in suitable circumstances, wives and children of residents of Palestine who settled in the country in advance of their families.



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**to the**  
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**EXPLANATORY NOTE.**

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The quota prescribed in the order given above provides for the grant during April and May, 1940, of immigration certificates to 2,050 persons together with their wives and minor children and, in suitable circumstances, wives and children of residents of Palestine who settled in the country in advance of their families.

Of these certificates 100 are for Arabs and other persons, and 1,950 are for Jews.

None of these certificates will be made available for persons resident in territory occupied by His Majesty's enemies; they are available for persons who have been resident in allied and neutral countries before the outbreak of war on the 3rd September, 1939. They may also be made available for former residents of that part of Poland now occupied by the enemy who have entered allied or neutral countries before the 1st October, 1939.

The number of wives and children of prospective immigrants and of residents of Palestine cannot be precisely determined before their arrival, but the provision for principal immigrants in the order means that, so far as can be foreseen approximately 3,000 Jewish immigrants will be admitted to Palestine on certificates granted during April and May.

## 2. RELATION OF QUOTA TO POLICY.

It will be recalled that in May, 1939, His Majesty's Government declared their policy in regard to Jewish immigration into Palestine in the following terms:—

"For each of the next five years a quota of 10,000 Jewish immigrants will be allowed, on the understanding that shortage in any one year may be added to the quotas for subsequent years, within the five years' period, if economic absorptive capacity permits.

"In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependants.

.....

"His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas."

In the execution of that policy for the six months April, 1940, to September, 1940, the High Commissioner has decided that approximately 9,000 Jewish immigrants may be admitted to Palestine on authorities granted during these six months, namely, 5,000 against the annual quota of 10,000, and about 4,000 against the supplementary provision of 25,000 certificates for refugees. This figure of approximately 9,000, so far as can be foreseen, comprises about 5,800 certificates for principal immigrants and about 3,200 certificates for wives and minor children.

If there had been no illegal immigration and if there were no prospect of further illegal immigration, a quota of 5,800 certificates and about 3,200 certificates for wives and minor children would have been prescribed for the six months April, 1940—September, 1940. But the volume of Jewish illegal immigration during the past twelve months has been considerable, and it has, therefore, been decided to prescribe a quota for April and May only which is one-third of the capacity for the half-year, with the intention of prescribing a quota for June and July of the same

dimensions less the number of illegal immigrants recorded during the months of April and May ; and then similarly of prescribing a third quota for August and September less the number of illegal immigrants recorded during June and July.

The same process will be continued for the half-year beginning the 1st October, 1940.

### 3. THE IMMIGRATION ACCOUNT FOR 1939-1940.

The statements of the immigration account for the first year under the declared policy are given below.

*Quota account, April, 1939 — March, 1940.*

#### A. Certificates available at 1st April, 1939 :

(a) 10,000 annual quota.

(b) 25,000 supplementary refugee certificates in so far as maintenance was ensured.

#### B. Certificates granted :

(a) April, 1939 — September, 1939 : 10,350

comprising : 5,000 against the annual quota of 10,000 :

5,350 against the refugee supplement of 25,000.

(b) October, 1939 — March, 1940 : Nil

being 5,000 less 5,000 illegal immigrants against the annual quota of 10,000, and about 11,000 illegal immigrants against the refugee supplement of 25,000.

#### C. Arrivals recorded :

(a) Lawfully registered Jewish immigrants, 1st April, 1939 — 28th March, 1940 : 10,529

(b) Immigrants unlawfully arriving and/or remaining in Palestine, 1st April, 1939 — 28th February, 1940 : 15,489

(c) The total number of immigrants recorded to date is therefore : 26,018

(d) This number provides the 10,000 certificates in the annual quota for 1939—1940, and 16,018 certificates in the supplement of 25,000 certificates for refugees, leaving a balance of 8,982 supplementary certificates for refugees.

D. There remain, therefore, 40,000 immigration certificates, 10,000 a year, from the 1st April, 1940, and rather fewer than 9,000 supplementary certificates for refugees for lawful Jewish immigration under the declared policy subject to such deductions from each quota declared in the future as are equal to the numbers of illegal immigrants who may arrive in the future.

### 4. DISTRIBUTION OF CERTIFICATES, APRIL—MAY, 1940.

The following arrangements of general character will be made in the distribution of the certificates prescribed by the order for April—May :

(i) Category A.

About 600 certificates will be available for principal immigrants together with the number of certificates necessary for the admission of wives and children. Apart from a small departmental reserve these certificates will be sent to His Majesty's passport control officers and consuls for issue to applicants in order of date of applications.

(ii) Category B(ii).

About 30 certificates will be available for rabbis and other persons of religious occupation together with the number of certificates necessary for the admission of wives and minor children. The Chief Rabbinate, communities and congregations may make application for the grant of these certificates in the usual manner on the statutory forms obtainable at the offices of the department.

(iii) Category B(iii).

About 1,000 certificates may be granted for students, youths and children on the production by local institutions of the proper guarantees as to support and maintenance.

(iv) Category C.

About 60 certificates will be placed at the disposal of the Executive of the Jewish Agency together with certificates for wives and minor children.

(v) Category D.

About 200 certificates will be available for parents of residents in Palestine, provided that the parents were living in neutral or allied countries before the outbreak of war. Under the same conditions 30 certificates will be available for *fiancées*. No applications will be accepted at present, and the outstanding applications already in the department will be taken in the serial order of date of application.

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Enclosure No.3 to Despatch No. 12849 May 6, 1940, on the Subject of "Issuance of Palestine Immigration Schedule for Period Beginning April 1, 1940; Notes on Recent Illegal Immigration" from the American Consulate General, Jerusalem.



Supplement No. 2  
to the

Palestine Gazette Extraordinary No. 994 of 18th March, 1940.

PALESTINE (DEFENCE) ORDER IN COUNCIL, 1937.

REGULATIONS MADE BY THE HIGH COMMISSIONER UNDER ARTICLE 6.

IN EXERCISE of the powers vested in him by Article 6 of the Palestine (Defence) Order in Council, 1937, the High Commissioner has made the following regulations:—

1. These regulations may be cited as the Defence (Immigration) Regulations, 1940.

2. In these regulations the term "prohibited immigrant" means a person who by reason of the provisions of section 5 of the Immigration Ordinance is not entitled to enter Palestine. Cap. 67.

3. If any vessel is found in territorial waters of Palestine whether it came into those waters voluntarily or not having on board, to the knowledge of the owner, agent or master of such vessel, any prohibited immigrant then —

(a) if such vessel does not exceed 1,000 tons registered tonnage a District Court shall on the application of the Attorney-General declare it to be forfeited to the Government of Palestine;

(b) if such vessel exceeds 1,000 tons registered tonnage proceedings may be taken by the Attorney-General for the condemnation of the vessel in the manner provided by section 12(3)(iv) of the Immigration Ordinance and the provisions of that section shall apply accordingly.

4.—(1) The owner, agent or master of any vessel found in territorial waters of Palestine in contravention of regulation 3 of these



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4.—(1) The owner, agent or master of any vessel found in territorial waters of Palestine in contravention of regulation 3 of these

regulations shall be guilty of an offence and liable to a fine of £P.1,000 or imprisonment for eight years or both.

(2) A prosecution for an offence under this regulation shall not be instituted except by or with the consent of the Attorney-General :

Provided that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney-General to the institution of a prosecution for the offence has not been obtained, but no further proceeding shall be taken until that consent has been obtained.

5. Every prohibited immigrant on board a vessel which is found in territorial waters of Palestine, whether such vessel came into those waters voluntarily or not, shall be guilty of an offence and liable to a fine of £P.100 or imprisonment for six months or both.

6.—(1) Any statement of fact contained in any official communication from a Secretary of State or British Ambassador or Minister addressed to the High Commissioner shall be accepted by all courts in any proceedings under the Immigration Ordinance or these regulations as evidence of the fact so stated.

(2) Any communication certified by the Chief Secretary under his hand to be an official communication from a Secretary of State or British Ambassador or Minister shall be deemed to be such and any such certificate purporting to be signed by the Chief Secretary may be given in evidence without proof of such signature.

(3) Notwithstanding any law or rule of evidence to the contrary any statement obtained by an immigration officer in exercise of his powers under the Immigration Ordinance or any other Ordinance or regulation shall be admissible as evidence in any proceedings under the Immigration Ordinance or these regulations.

7. If in any proceedings under these regulations it is shown that there were prohibited immigrants on board any vessel the owner, agent or master of such vessel shall be presumed to have knowledge of that fact.

8. These regulations shall be in addition to and not in derogation of any other law.

9. The Interpretation Ordinance shall apply to these regulations.

10. These regulations shall come into operation on the 18th day of March, 1940.

By His Excellency's Command,

J. S. MACPHERSON

*Chief Secretary.*

Cap. 69.

18th March, 1940.

SM.

RWR

GRAY

JERUSALEM

Dated May 20, 1940

Rec'd 5:15 p.m.

Secretary of State,  
Washington.

30, May 20, 4 p.m.

Referring to Department's telegram No. 37 of May 16,  
6 p.m. repeated from Ankara.

The Department of course is aware that the estimated 8,000 odd American citizens in Palestine present a very special problem.

Almost ninety per cent are JEWS, of whom at least two-thirds are naturalized citizens. They have been admitted to Palestine under immigration schedules on visas authorizing permanent residence. For the most part ardent Zionists, their dominant interest is Jewish settlement and realization of the national home ideal. Their first and preeminent loyalty is to that ideal and its concomitant concept of Jewish statehood in their lifetime.

It follows that retention of American citizenship by these settlers is in many cases primarily a matter of not wanting to burn one's bridges. Few only among them, I believe will want to leave Palestine even in the event of Italy entering the war and consequent

hostilities

-2- No. 30, May 20, 4 p.m. from JERUSALEM

hostilities in the Mediterranean. To these relatively few, of whom I anticipate most will apply to me for advice, I propose to communicate the pertinent substance of the telegram under reference and to extend all possible assistance in obtaining transportation.

Other American residents include several hundred naturalized citizens of Palestine, Arab origin, against at least a majority of whom presumption of expatriation due to protracted residence abroad has arisen. They are for the most part safely situated in scattered inland villages. If desirous of returning at this time, they may be counted on to consult my office. Its advice and assistance will be freely given.

There remain the Kellogg Company's seventy-odd employees with ninety-odd wives and children in Haifa and, including dependents, roughly one hundred missionaries, consular staff, and others. The substance of the telegram under reference has been communicated privately, through heads of institutions to practically all of these.

In the circumstances set forth and because, in the light of Italy's threatening attitude, Mediterranean travel appears to involve serious risk, I should prefer not to issue any public notice inviting American citizens to leave Palestine. A further consideration, with

respect

-3- No. 30, May 20, 1940, 4 p.m. from JERUSALEM

respect to which I am consulting with the Legation in Cairo, is the difficulty of obtaining passage even on Mediterranean sailings.

At the same time, and after consulting Magnes, Totah and Miller (respectively heads of the Hebrew University, Ramallah friend's Schools and the Y.M.C.A.), I have made tentative plans for the care of Americans, who, if Italy enters the war, may, from fear of bombing attacks, wish to leave Haifa or Telaviv. Kellogg Company families would be cared for at the Friend's Boy's School, Jews at the Hebrew University.

Also, and in line with the Department's telegram No. 42 of May 13, noon to Bern regarding which the Legation at Cairo consulted me, I have been assured of ample accommodation at the Y.M.C.A. and the School of Oriental Research for Legation and Consular families in Egypt who may wish to remove to the safety which no one doubts would be afforded by residence in the Holy City.

None of my American staff or members of their families desire to leave Jerusalem, although my wife hopes to depart on usual summer visit to the United States if and when safe means and route of travel are available.

WADSWORTH

HSN

GRAY

Jerusalem

Dated April 25, 1940

Rec'd 4:48 p. m.

Secretary of State,  
Washington.

25, April 25, 2 p. m.

By an order dated April 22 made under Section 5 A of the Immigration Ordinance the High Commissioner has authorized the issuance during the first two months of the semester begun April 1st of 2,050 immigration certificates to individual immigrants and of such additional certificates as are needed for wives and minor children of such immigrants and of immigrants previously admitted.

An appended explanatory note estimates at 3,000 the total number of certificates to be issued under this order and announcing as a matter of policy that there will be issued during each of the succeeding two bi-monthly periods of the semester a similar total minus the number of illegal immigrants recorded during the immediately preceding bi-monthly period, thus providing for an estimated total immigration of 9,000 during the current semester. Of the 2,050 figure

1,950

hsm -2- No. 25, April 25, 2 p. m., from Jerusalem

1,950 certificates are reserved for Jews.

According to the note total immigration during the year ended March 31 was approximately 26,000 of which 10,500 was legal, the remainder being made up of immigrants recorded as unlawfully arriving and/or remaining. 10,000 of this total are therefore charged to last year's authorized immigration quota and 16,000 to the special five years refugee quota, thus leaving 9,000 of the latter unfilled.

Of the current semester's estimated total immigration 5,000 is to be charged against the year's authorized immigration quota of 10,000 and 4,000 against the remainder of the refugee quota.

The significance of the new order lies in the fact that after six months' suspension, imposed to counterbalance illegal immigration, Palestine's immigration regime has (\*) brought back in line with that announced in the British White Paper of last May.

An interesting modification provides that no certificates shall be issued to persons who have resided in enemy territory after the outbreak of war or in enemy occupied Poland after October 1st.

WADSWORTH

(\*) apparent omission

HSM



HSM

GRAY

London

Dated March 27, 1940

Rec'd 1:45 p. m.

Secretary of State,  
Washington.

75, March 27, 6 p. m.

Department's 565, March 26, 7 p. m.

The Embassy has frequently inquired of the Foreign Office as to status of the matter, emphasizing the desirability of an early reply to the German note of February 1 (Berlin's 438, February 17, 2 p. m.). The competent officials have today stated that the British Government is prepared to agree to all points of the German note except (d) but they are pessimistic as to the chances of an early reply or of persuading the military and naval authorities to agree to that point, upon which any general exchange appears to depend.

It is understood that there are at present some 2,000 British subjects in Germany and German occupied territory of whom less than 150 are interned and of whom the majority are naturalized Palestinian citizens or persons who are legally British but German or Polish by ancestry and family ties. The British now have approximately 2,000

hsm -2- No. 75, March 27, 6 p. m., from London

mately 2,000 German citizens interned of whom nearly 90 percent are captured merchant seamen and the remainder persons whom they desire to keep for reasons of national security. I am advised that the number of captured merchant seamen is continually growing, that the Admiralty is not disposed to release them and that the War Office is less favorably disposed than formerly to the release of men of military age owing to objections by the French.

While the chances of a general exchange appear to have lessened perceptibly the Foreign Office states that German women, men over 60 and children under 18 are currently being permitted to leave Great Britain (my 331, February 7, 7 p. m.) despite the limited extent of German reciprocity. I will continue to follow the matter closely. In the meanwhile the Foreign Office is using this government's interest as an additional argument with the military authorities.

KENNEDY

KLP

Eu

DIVISION OF NEAR EASTERN AFFAIRS  
DEPARTMENT OF STATE

*Memorandum of Conversation*

SM

DATE: February 29, 1940.

SUBJECT: Palestine

PARTICIPANTS: Mr. F. R. Hoyer Millar, First Secretary of British Embassy.  
Mr. J. Rives Childs

COPIES TO: Eu  
Jerusalem  
London

JP

OFF 1-1493

When Mr. Millar came in this morning to make inquiries regarding our treaty negotiations with the French concerning Morocco, and informed me to that effect, I replied that I had assumed that he had probably come in connection with the reports in the press that the land transfer regulations in Palestine had been promulgated.

He stated that the Embassy had very little more information on the subject than what had appeared in the press but that as soon as the full text of the relevant documents was received he would be glad to forward it to us.

In the course of the discussion which followed Mr. Millar informed me that the Zionist leaders in

this

this country, including Dr. Chaim Weizmann, had gotten wind of the development about two weeks ago and had approached the Embassy on the subject. Actually, Mr. Millar said, the British Government had not reached its definitive decision to go ahead with the promulgation of the regulations until a few days ago. On February 27th the British Ambassador had gotten in touch with Dr. Weizmann, Rabbi Wise and other Zionist leaders in the United States and had informed them of the proposed decision of the British Government to promulgate the land regulations without further delay. The British Ambassador had informed them, Mr. Millar added, that the decision had only been reached by the British Government after the most considered judgment had been given to the matter. Lord Lothian, it was stated, had represented to the Jews that he felt that they would be rendering their own cause a great disservice by creating difficulties in the way of the execution by the British authorities of the decision. Mr. Millar observed that Dr. Weizmann was a statesman and was not a difficult person to deal with but that Rabbi Wise was another matter.

Mr. Millar continued by stating that Lord Lothian was very much interested in such questions as Palestine and India as they related to British Empire interests and he knew he would be very pleased to come down at any time and discuss with the Secretary the background

of

- 3 -

of the most recent decision of the British Government  
in respect of Palestine.

NE JRChilde/CC

V. JEWISH AFFAIRS.

1) Legal Immigration of Jews into Palestine  
during the six months period from April 1 to September 30, inclusive, amounted to only about 3,500, although under the quota approved for this period 9,050 immigration certificates for Jews were provided. The remaining holders of certificates are mostly in places from which the outbreak of war delayed or prevented their departure. About 3,000 of these are in the Greater German Reich, some 500 are believed to be in the German-occupied region of Poland, and the remainder are in England, France, and neutral countries.

As a result of recent negotiations, the Jewish Agency announces that the German authorities are permitting Jews to leave the country; Italy and Hungary have agreed to permit their transit; and the Colonial Office will permit Palestinian visas to be issued to certificate holders from Germany at Trieste, Bucharest, and Budapest. The Agency therefore hopes that the 3,000 approved immigrants now in Germany may shortly be enabled to proceed to Palestine. One contingent of 526 persons is reported to have left Germany for this country on October 18; and 120 refugee children, first of a contingent of 500 for which certificates have been obtained, arrived in Palestine on October 22.

The legal immigration quota for the six months beginning October 1, 1939 has now been announced. Permission is given for the immigration of 300 non-Jews, plus their wives and children under 18 years of age. In accordance with the policy announced on July 12 of this year (see despatch No. 1031 of August

7, 1939)

7, 1939), no certificates for Jews will be issued during this period.

Comment: No entries of illegal immigrants have been reported since the arrival of the "Naomi Julia" with 1200 refugees on September 19. However, the Inspector in charge of the Border Patrol informs me that he has information regarding five vessels suspected of intention to bring "illegals" to this country; and thus he is not so optimistic as to believe that his troubles in this respect are over.

2) Five Refugee Ships confiscated by the Palestine Government, after having been seized on charges of conveying illegal immigrants to this country, have been sold to the "Atid" Navigation Company, Ltd., a Jewish shipping firm. The five vessels: "Liesel", "Las Perlas", "Artemisia", "Aghios Georgios", and "Aghios Nicolaos", have been re-christened, respectively: "Alisa", "Antar", "Amos", "Agoor", and "Adina". The ships are being reconditioned and are expected to be placed in service in the coastwise trade in the near future.

Comment: The "Liesel" and the "Las Perlas" were under Panamanian registry at the time of their capture. Their confiscation was reported in the Press Review for the fortnight ended August 13, 1939.

3) The Arab-Jewish Cooperation League, the formation of which was reported in the Press Review for the fortnight ended October 8, 1939, has held two further meetings, on October 10 and October 18. At the first of these meetings a resolution was adopted declaring that "equal civil and political rights,..... the free development of the country with its two nations, must form the basis of the political future of Palestine". In both

meetings

meetings the urgent need for economic cooperation during the present crisis was stressed, and it was decided to call upon the Jewish Agency to appoint immediately the Jewish-Arab Relationships Committee recommended by the last Zionist Congress.

Comment: As mentioned in the last Press Review, the League membership is entirely Jewish, and no corresponding movement among the Arab population has yet been started.



JR

GRAY

Jerusalem

Dated March 3, 1940

Rec'd 9 a.m.

Secretary of State,  
Washington.

9, March 3, noon.

Local reaction to the publication last Wednesday of "land transfers regulations" in substance prohibiting, except by special authorization and for limited special purposes, transfer of all Palestine Arab owned land save to Palestine Arabs, other than in municipal areas, the Haifa industrial zone and a central coastal area of some one thousand square kilometres, may be summarized as follows.

Jewish opposition is as widespread and bitter as that following publication of the British White Paper of last May. General strike and synagogue services recall those of that month. Street demonstrations were probably prevented from deteriorating into serious rioting by prompt British police action and military imposition of curfew at Haifa and Tel Aviv. Placards carried by demonstrators demand repeal calling "down with MacDonald and his Nuremburg laws" and "Hitler smote us in front of the British in the back". The "free" coastal area is derisively

-2- #9, March 3, noon, from Jerusalem.

derisively termed a pale of settlement. The Jewish agency has protested officially that the regulations "not only violate the terms of the mandate but completely nullify its primary purpose". Arab reaction is unfavorable but with undercurrent of continuing mistrust of British bona fides and apprehension that Jewish pressure will induce modification.

British officials welcome move as one showing intention to make White Paper policy with emphasis on the modifying clause of Article Six of the mandate. I sense that, as British Palestine policy last spring when war threatened was designed in large measure to reestablish good will in the Arab and Moslem worlds, it is today being implemented by immigration and land transfer restrictions not only because such action is believed to be just but also with that same larger political objective in view.

WADSWORTH

WJC

DEPARTMENT OF STATE  
Division of Near Eastern Affairs

February 23, 1940

A-B - Mr. Berle:

A-L - Mr. Long:

S - Mr. Secretary:

IMMIGRATION INTO PALESTINE IN 1939

Some 16,000 to 16,500 Jewish immigrants are estimated to have entered Palestine legally in 1939, according to despatch no. 1207 dated January 24, 1940 from Mr. Wadsworth, American Consul General in Jerusalem. This compares with legal Jewish immigration of 10,536 in 1937 and 12,868 in 1938.

In addition to the legal immigrants, it is estimated that some 14,000 to 15,000 Jews entered Palestine illegally in 1939. Of this estimated number some 10,200 are by actual count, having arrived on nineteen illegal immigrant ships, while a further 4,000 to 5,000 are estimated to have entered, as during the preceding year, singly and in smaller groups or to have stayed illegally after arrival as temporary visitors.

Accordingly, during 1939 almost as many Jews entered Palestine illegally as legally, bringing the total of Jewish immigrants for the year to at least 30,000, which

is double the number of legal immigrants for 1937 and 1938, even when including the generally accepted estimate of illegal immigration at the rate of several thousand for each of those years.

During the first three months of 1939 immigration was controlled by a schedule based on the political high level principle. Immigration during the period April 1 to September 30, 1939, which provided for the issuance of 10,350 immigration certificates to Jews during that period, was based on the British White Paper of May 1939, which contemplated the entry of 50,000 Jewish immigrants over a period of five years at the rate of 10,000 a year and for the admission in addition of 25,000 Jewish refugees. The issuance of further immigration certificates during the period October 1, 1939 to March 31, 1940 was completely suspended by the British authorities as a result of wide-spread illegal Jewish immigration.

Mr. Wadsworth expresses the opinion that the Government appears to be powerless, despite its apparently sincere efforts, to prevent illegal immigration, the more particularly as it has been deprived, for obvious humanitarian reasons, of its most effective means of combating the traffic, namely that of deportation.

A lull is reported in the arrival of immigrant ships in Palestine bearing illegal immigrants during the last few months.

months. Mr. Wadsworth ascribes the lull to three factors: (1) the war, (2) withdrawal by the Jewish Agency of active encouragement of illegal traffic owing to the fact that the arrival of thousands of penniless refugees has seriously hampered Jewish unemployment and relief work and has had serious political consequences, and (3) pressure by the British Government, on the governments of those European countries from which the illegal traffic has emanated, to bring about its discontinuance.

Mr. Wadsworth states that no prediction is possible as to the immediate future of legal immigration. He believes that at least a small quota for the period beginning April 1, 1940 will be established providing that illegal immigration does not increase in volume prior to that date. The Consul General suggests that the authorities are endeavoring to induce the Jewish Agency and leading Zionist organizations to express their open disapproval of illegal immigration. He sees in this struggle over immigration a battle between the Government and Zionism over a fundamental issue. Mr. Wadsworth believes that the first round in the conflict has gone to the Zionists and concludes by expressing the opinion that, unless the Government can stem the flow of illegal immigration, realization of the White Paper policy on Palestine will be seriously jeopardized.

Wallace Murray

NE JRChilds/lb

NO. 1096

AMERICAN CONSULATE GENERAL,

Jerusalem, Palestine  
September 21, 1939

SUBJECT: Illegal Immigration into Palestine in the  
Light of War Conditions; Panamanian Ships  
Engaged in Traffic in Illegal Immigrants.

THE HONORABLE

THE SECRETARY OF STATE,  
WASHINGTON.

SIR:

Illegal immigration into Palestine, I have the honor to inform the Department, continues in spite of war conditions. The purpose of this despatch is to point out briefly the changed aspects of the problem as a result of the war and at the same time to bring up to date the Consulate General's chronology of events in this field, the last chapters of which were given in despatches Nos. 978 of June 26, 1018 of July 21, and 1031 of August 7, 1939. I shall further take advantage of this opportunity to include, as of probable interest to the Department since the Consulate General represents the interests of Panama, a list of Panamanian ships which are known to have engaged or are suspected by the Palestine authorities of being involved at present in this traffic.

Before proceeding with a discussion of illegal  
immigration/

immigration, it will perhaps be helpful to review very briefly, for background, the current regulations governing the legal entry of immigrants. Legal immigration for the period April 1 to September 30, 1939, is governed by an immigration ordinance dated June 15, 1939, the details of which were reported in the Consulate General's telegram of June 16 and despatch of June 26, 1939. This ordinance provides for the issuance, during the semester of 10,950 immigration certificates, of which 10,350 are for Jews. Of this total of 10,350 for Jews, 5,000 represents one-half the annual Jewish quota of 10,000, the remainder being for refugees as part of the 25,000 to be admitted in accordance with the provisions of the White Paper. The 1,300 Jews known to have entered the country illegally between April 1 and May 24, date of the drafting of the ordinance, were deducted from the total of certificates for Jews, making 9,050 certificates available for them for the semester in question. As a result of the increasing rate at which Jews were entering the country illegally, the Colonial Secretary announced in the House of Commons on July 12, that all Jewish immigration into Palestine will be suspended during the next quota period October 1, 1939, to March 31, 1940, and perhaps even longer. The Consulate General's despatches of July 21 and August 7, 1939, reported the extreme bitterness and disillusionment caused in Jewish circles by this announcement and endeavored to give a picture of the two contending, Jewish and British, forces drawn up to do battle over immigration.

This, then, was the situation in Palestine's

perennial/

perennial problem when war was declared on September 3rd. How will war conditions affect it?

As to legal immigration, there is no indication at the moment that the status quo will be altered by war. It is considered very unlikely that the Government's determination to suspend Jewish immigration during the next quota period will be changed. With regard to illegal traffic, however, the situation is quite different and a number of possibilities must be considered. Some such uncertain elements are: whether the German government will permit, or even assist, Jewish women and children and aged to leave via Italy or the Danube; whether the Rumanian government will permit Polish Jews to cross Rumania for departure via the Danube; whether the German and Russian occupation of Poland will force Polish Jews to leave the country to find refuge where they can; whether other governments will seize this opportunity to deport Jews; and whether Rumanian and Hungarian Jews, in view of the sad fate of Jewry in Czechoslovakia and Poland, will flee before the menace.

Whatever the answers to these questions, it would appear from weighing all of the factors and possibilities that there is little likelihood of diminution in the traffic in the near future. As the officer of the Criminal Investigation Department in charge of illegal immigration work expressed it "I do not see that the war has put an end to our illegal immigration problem". This viewpoint is confirmed by the fact that three

shiploads/



shiploads of illegal immigrants have entered Palestine since the outbreak of hostilities and that others are known to be cruising in the Eastern Mediterranean seeking refuge. It is probable that the principal ports of embarkation for illegal immigrants will now be Black Sea ports of Bulgaria and Rumania.

War conditions may bring about a change in the type of immigrants entering the country, both legally and illegally. Immigrants will probably come increasingly from Hungary and Rumania whereas they formerly came predominately from Germany and Poland. The entry of immigrants specially trained for life in Palestine and of others selected for political reasons by the Jewish Agency and the Revisionists will be made more difficult, if not impossible. Indeed, the Colonial Secretary had already, before the outbreak of war, called the attention of the Jews to the fact that illegal immigration was making the entry of selected immigrants difficult. It is also expected that the percentage of men among illegal entrants will decrease due to restrictions imposed in belligerent countries. Finally, practically all of the immigrants who arrive under these conditions will be utterly destitute, placing an even greater financial burden on Palestine and American Jewry. The conditions cannot be ascribed to the war, however, for most of the immigrants who have arrived since the beginning of mass illegal immigration have been destitute.

As/

As to the long range effect of the war on Jewish immigration and the National Home, no prediction can, of course, be made. The Jews generally seem to be adopting an opportunistic attitude and, while still being adamant in refusing to accept the provisions of the White Paper, appear to take the line that cooperation with Great Britain in the present crisis offers the best chance of obtaining their ultimate objective. Arabs, on the other hand, show increasing apprehension that Great Britain will, as some of them put it, "sell out" to the Jews because of the importance of international Jewry in the prosecution of the war.

Illegal immigration, to take up again the recital of events left off in the Consulate General's despatch of July 21, has increased in intensity. Some 5,000 more illegal immigrants have entered Palestine on the following seven ships:

The SS Colorado, 519 tons, flying the Panamanian flag, arrested and taken into Haifa with its 378 immigrants on July 29.

An unknown ship placed its 297 illegal immigrants in small boats outside territorial waters and sent them to shore on August 10.

The SS Aghios Nicolaus, Greek owned, transferred 840 immigrants at sea to a motor vessel, a sailing ship and a schooner and sent them to shore on August 19.

The SS Parita, 800 tons, flying the Panamanian flag, was deliberately beached at Tel-Aviv on August 23 with 700 immigrants on board. It was beached by the passengers, the captain and crew having fled in a small boat.

The SS Tiger Hill, flying the Panamanian flag, was beached at Tel-Aviv on September 2 with 1205 immigrants on board. The ship was fired on by the authorities as a result of which two passengers were killed.

The/

The SS Rudnitchan, 160 tons, of Bulgarian registry, transferred 364 immigrants outside territorial waters into five life boats and sent them to shore on September 16.

The SS Noemi Julia, 1300 tons, flying the Panamanian flag, cast anchor at Haifa on September 19, 1939, with more than 1,300 illegal immigrants on board.

Thus, since the Consulate General's despatch of July 21st, some 3,000 persons are known to have entered Palestine illegally, making a total since April 1, the beginning of the quota period, of more than 9,700. Actually this number will be larger for it does not include persons who evaded frontier control individually or those who entered as temporary visitors and stayed illegally. Of the more than 9,700 known to date to have entered illegally, 1,300 were deducted from the current quota leaving some 8,400 to be deducted from future quotas. Hence, as predicted on page 6 of the Consulate General's despatch of June 26, about 20,000 Jews will enter Palestine legally and illegally during the present quota period, or more than one-fourth of the five year quota established by the White Paper.

Prevention of the entry of illegal immigrants is becoming increasingly difficult in the face of new tactics adopted by transporting ships. Those new tactics consist of either transferring the immigrants at sea to small boats or of permitting the passengers to beach the ships themselves, after they have been abandoned by the crew. In neither case is there anyone to arrest, other than the immigrants who can seldom be deported and are usually/

usually released soon after arrest, nor is there any vessel worth confiscating as the beached ships and small boats are almost worthless.

There follows a list of Panamanian ships already apprehended or believed by the authorities still to be operating. These ships are said to have been transferred from the Greek to the Panamanian flag because of a recent Greek law prohibiting the use of Greek ships in traffic in illegal immigrants. This list was furnished the Consulate General confidentially by the officer of the Palestine Government in charge of illegal immigration work in the Criminal Investigation Department.

- 1) SS Possoult, formerly Milbane, formerly Lemna, believed to be carrying illegal immigrants but whereabouts unknown.
- 2) SS Dora, formerly Tsaldur, whereabouts unknown, said to have several hundred on board.
- 3) SS Ioani Julia, 1300 tons, flying the Panamanian flag, cast anchor off Haifa on September 19, 1939, with more than 1200 on board, is being detained by the authorities.
- 4) SS Varko, formerly Nelson, whereabouts unknown, believed to be carrying immigrants.
- 5) SS Parita, beached at Tel-Aviv and confiscated as indicated earlier in this despatch.
- 6) SS Tiger Hill, formerly Kypros, beached at Tel-Aviv and confiscated as mentioned earlier in this despatch.
- 7) SS Rim, burned off Rhodes on July 6, its passengers having eventually entered Palestine on the Aghios Nicolaus on August 19.
- 8) SS Colorado, detained pending hearings after having been arrested and taken into Haifa on July 29 with 378 immigrants on board.
- 9) SS Las Perlas, captured near Athanya on July 2 with 378 on board, confiscated by the Palestine Government.
- 10) SS Diesel, formerly Myconos, apprehended on June 1 with 906 on board, confiscated by the Palestine Government (reported in the Consulate General's telegram of June 3 and despatch of June 26).

11)

- 11) SS Attrato, formerly Irini, formerly Vernicon, apprehended May 29, with 401 on board, being detained pending hearings (also reported in telegram of June 3 and despatch of June 26).

Respectfully yours,

True copy of the  
original signed by

Christian T. Steger  
American Consul

File No. 955  
HEM/er

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1 copy for the files of the Consulate General.

No. 1031

AMERICAN CONSULATE GENERAL,  
Jerusalem, Palestine, August 7, 1939.

Subject: Palestine Reactions to Suspension of Jewish  
Immigration.

The Honorable

The Secretary of State,  
Washington.

Sir,

I have the honor to report that the outstanding development in the Palestine situation during the past month was the announcement by the Colonial Secretary, on July 18, of the suspension of all legal immigration for the quota period from October 1, 1939, to March 31, 1940.

In view of the previous announcement, in the British White Paper of May 17, that the numbers of illegal immigrants who remain in Palestine would be deducted from future quotas; and in view of the generally known fact that illegal immigrants were entering the country at a rate in excess of the legal quota, a drastic curtailment, if not complete stoppage, of immigration for the next half-yearly period, was generally recognized as a probability. However, the announcement of the Government's intentions at this time, two and one-half months before the beginning of the quota period, is a distinct departure from previous practice, and consequently came as a surprise.

The

The motives behind this unexpectedly early declaration were explained, in the course of a conversation with Consul Scott, by the Deputy Chief Secretary. The Government, said this official, had been forced (by the flood of illegal immigration) to take action; it could not permit the Jews to continue to flout its authority. When asked whether, in his opinion, this measure would cause a stoppage of illegal immigration, he was hopeful that it might contribute to this end; at any rate, he thought it would serve "to bring the Jews to their senses." At the same time it was hoped that this action might assist the Government in its relations with the Arabs.

So far as the Jews are concerned, there is little indication that the cancellation of the next quota is having the desired effect. Accepting as an axiom the illegality of the White Paper itself, they consider any measure for its implementation unjustified. Proceeding beyond this contention, Jews assert the absurdity of penalizing would-be legal immigrants because of alleged illegal acts of refugees - of refusing entry to desirable selected persons because others, driven to despair by persecution, succeed in entering the country surreptitiously. The new restrictive policy, being itself devoid of any legal basis, so the argument runs, calls for resistance by any means, legal or illegal. Punishment of the innocent for the faults of the guilty will merely provide additional incentive for the evasion of the law.

The statement issued by the Jewish Agency on the evening of July 12, which may be taken as summarizing the official Jewish attitude toward the announcement of the Colonial Secretary, was quoted in Consul General Wadsworth's despatch No. 1018 of July 21, 1939.

It

It is widely held in British official circles that the Jews would better serve their own interests by accepting the White Paper policy, cooperating to discourage illegal immigration, and taking advantage of the approved "selective" immigration of 75,000 for the next five years. By making the most of this opportunity they could strengthen their position and take full advantage of all that the country can reasonably offer toward the development of the National Home. Unselected illegal immigrants, on the other hand, merely close the door to an equal number of selected, and therefore presumably more suitable, immigrants. Being in most cases destitute, they also constitute a financial burden.

From my conversations with persons representing various Jewish political tendencies, I conclude that the majority of Palestine Jewry are also convinced that indiscriminate illegal immigration is not in the best interests of the National Home. Even the Revisionists, who have for years encouraged and assisted the illegal entry of persons of Revisionist or Nationalistic tendencies, are not interested in bringing in unselected refugees. The Jewish Agency, of course, and the powerful Labor Party which controls it, cannot experience any great satisfaction in the knowledge that thousands of illegal entries are correspondingly reducing the number of certificates available for allotment by the Agency to carefully selected persons.

Yet few if any Jewish voices are raised in condemnation, or even deprecation, of the present flow of refugees into Palestine. Such as stand, while it might, in view of the considerations mentioned above, appear reasonable to the Yishuv, would be extremely unpopular with the Jewry of the Diaspora. Whereas Palestine Jewry's first aim is the development of the National Home, and whereas local political parties as such

endeavor



endeavor to increase their own relative strength in Palestine, Jews of other countries are, at present at least, chiefly interested in ameliorating the condition of persecuted Jews. As precisely these refugees who are endeavoring to enter Palestine illegally are the chief sufferers from persecution, world Jewry could hardly approve an attitude which would appear to denote a lack of sympathy toward their unfortunate brethren. And in view of the considerable financial contributions received from abroad, the good opinion of foreign Jewry is extremely important.

One other consideration, probably of greater importance, makes it necessary for Palestine Jewry to "condone and encourage" (to use the words of Mr. MacDonald), if not actively to foster, illegal immigration. Jewry has publicly declared its unceasing opposition to the policy outlined in the White Paper, and can under no circumstances cooperate in implementing it. The Jewish Agency's statement in reply to the Colonial Secretary's appeal for its cooperation, a copy of which is enclosed, shows clearly the attitude of Jewry on this point.

1/

Arab circles appear to regard the announced suspension of immigration with their usual suspicion as to British sincerity. On the face of it, it appears favorable. But action, and not a declaration of intentions, is what the Arabs demand. For the moment they note only a considerable acceleration of the rate at which Jews are entering the country; and they put no faith in British promises for the future. Some sections of the press go so far as to imply that the British are themselves facilitating illegal entries; suggestions that no determined effort is being made to prevent them are common.

"The truth is", says "Al Islamia", "that the chief aim of the new measure is not to suspend immigration, but rather

to liberate it from the bonds of law. The immigration of Jews into Palestine has not been suspended...The Government's step is a trick. It has found that certificates are a hindrance to illegal immigration, and therefore it has abolished them." And "Falastin" says that the Arabs "prefer legal immigration under Government supervision in order that it may be possible to regulate the principles of immigration and to have control over their financial means. The suspension of legal immigration by the Government as a punitive measure against smuggling does not constitute a remedy, but on the contrary seems to encourage illegal immigration."

And so finally, in the content of the last sentence above quoted, there has been found one proposition, at least, on which both Arabs and Jews can agree.

Respectfully yours,

Christian T. Steger,  
American Consul.

Enclosure:  
Statement of Jewish Agency

File No. 840.1  
CS/eh

Distribution

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Enclosure No. 1 to despatch No. 1031 of August 7, 1939,  
from the American Consulate General, Jerusalem, Pales-  
tine, on the subject: "Palestine Reactions to Suspension  
of Jewish Immigration."

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Statement of Jewish Agency in reply to the Colonial  
Secretary's appeal for cooperation.

"The Colonial Secretary has appealed to the Jews to cooperate with the policy of the White Paper. He based his appeal upon Jewish gratitude for the actions of former British Governments and former Colonial Secretaries whose work he himself is attempting to undo. That gratitude is felt, and will continue to be felt. It goes out today to the British nation and to those in Parliament who are opposing these attempts, and the Jews are aware that even among those who do not yet express opposition, there are many who feel serious, growing misgivings concerning the White Paper policy.

"The Jewish Agency has for 20 years loyally cooperated with the Mandatory Power, and is looking forward to the time when it will be enabled to resume full cooperation. But they state once more that the policy of the White Paper is devoid of any moral or legal basis and is calculated to destroy the last and most holy possession of the Jewish People, their National Home.

"They cannot be expected to help to implement the White Paper, and the Jewish Agency refuses to be made in any way responsible for the inevitable consequences of the Government's new immigration policy."

No. 1018

AMERICAN CONSULATE GENERAL  
Jerusalem, Palestine,  
July 21, 1939.

Subject: Statement of Colonial Secretary that  
Immigration into Palestine will be  
Suspended during Semester Beginning  
October 1st; Further Notes on Illegal  
Immigration.

The Honorable

The Secretary of State,  
Washington.

Sir:

The announcement of the British Colonial Secretary in the House of Commons on July 12 that all Jewish immigration into Palestine will be suspended during the next quota period from October 1, 1939, to March 31, 1940, and perhaps longer, I have the honor to report, marks the beginning of a new chapter in Palestine's complicated immigration problem. In addition to discussing in this despatch the significance of the statement and indicating Jewish reaction thereto, I shall bring up to date the chronology of events in the field of illegal immigration begun in my despatch No. 672 of August 6, last, and continued in despatches Nos. 926 and 978 of May 3 and June 26, 1939.

A new chapter is begun in that out of the immigration muddle of recent months has appeared at long last a clear cut issue. Two contending forces are drawn up-- the British Government, determined to enforce Palestine's immigration laws and prevent illegal traffic in immigrants,

and/

and the Jews, inexorable in their determination to nullify the immigration and other phases of the new British policy. The Arabs, heretofore one of the participants in a three cornered contest in which immigration was the vital issue, become interested spectators as the struggle takes on an essentially British-Jewish aspect.

The Colonial Secretary's statement was made in answer to a question in the House of Commons as to whether the Government was aware of illegal immigration and as to what action it intended to take in the matter. Mr. McDonald replied that the Government was aware of the existence of illegal immigration. The Government, he said, was anxious to facilitate the admission of 75,000 Jewish immigrants during the next five years and was making special provision for the admission of refugees from Central Europe. Their efforts to help refugees had been threatened in recent months by an organized attempt to defeat the proper regulation of immigration, as many of the immigrants were from Poland and Rumania. This traffic was perpetuating bitterness in Palestine and His Majesty's Government were determined to prevent the defeat of the law of Palestine. He then stated that the number of illegal immigrants had of late been so great that he had authorized the High Commissioner to announce that no immigration quota would be issued for the next quota period from October 1, 1939 to March 31, 1940. He added that the

resumption/

resumption of immigration quotas after March 31, 1940, would depend upon circumstances then prevailing regarding illegal immigration.

Jewish reaction to the statement was unanimous, swift, and clear. The Jews, already intransigent and bitter over the White Paper, were truly profoundly amazed and shocked at this turn of events. Formal protests by Jewish organizations and by the press used such strong language as "great betrayal", "breach of faith", "illegal action", "perverted logic" and "labored sophistry". The most important protest, in that it reflected official Jewish reaction, was made by the Jewish Agency on the same day the Colonial Secretary's statement was published. I am quoting almost all of this statement since it expresses the Jewish viewpoint faithfully and rather eloquently.

The statement that these refugees emanate from Poland and Rumania is misleading. In fact it is common knowledge that the greater part of them came from Germany, Austria, Czechoslovakia and Danzig.

The Jewish people as a whole is by this decision to be penalised because these refugees sought an escape from persecution by fleeing to their National Home. The penalty amounts to nothing less than the closing to the Jewish people of their homeland and the denial of the only salvation open to Jews who are doomed to extermination in the anti-semitic inferno of Central Europe.

For three years Palestine was a prey to the terrorism of Arab bands and the Government failed to enforce law and order. Now that the Mandatory Government has surrendered to Arab terrorism and violated its obligations to the Jewish people, it makes a display of firmness in enforcing the new immigration restrictions.

The Jewish people regards the new policy which, under the pressure of terrorism, has placed a strangle-hold on Jewish immigration, as devoid of

any/

any moral justification and based only on the use of force.

The Jewish people has not acquiesced, nor will it acquiesce, in this rule of force proclaimed in the White Paper. Its right to its homeland cannot be invalidated by the White Paper. Its right to its homeland cannot be invalidated by the breach of faith perpetrated by the Mandatory Government. The right of the Jews to return to their country is their natural and historic right.

It is not the Jewish refugees returning to their homeland who are violating the law but those who are endeavoring to deprive them of the supreme right of every human being--the right to live.

Other protests and newspaper editorials were in the same vein, following the pattern of the Jewish Agency statement, and there is no need to offer further quotations.

The Jewish Agency calls the Colonial Secretary to time for his statement that many of the illegal immigrants come from Poland and Rumania, which aggravates the settlement of the refugee problem. It would appear that Mr. McDonald's statement, while technically true, is somewhat misleading for it is, as the Jewish Agency states, common knowledge that the greater part of the illegal immigrants come from Germany. The Jewish Agency, however, misquotes the Colonial Secretary when it accuses him of saying that "these refugees emanate from Poland and Rumania."

In speaking of the extreme bitterness of Jewish feeling at present, I venture to call attention to the prediction made on page 6 of my despatch of June 26 to the effect that the speed-up in immigration (caused by concurrent legal and illegal immigration) would lead to

disappointment/

disappointment and resentment on the part of the Jews when future quotas were curtailed or eliminated. This prediction has come true more quickly and more violently than I had expected. The end is not yet, however, and success in this immigration contest will depend upon the ability of the Government to prevent the entry of illegal immigrants.

Illegal immigration, to take up again my recital of events in this field, has continued unabated, although there has been a lull during the past two weeks. The subject continues to preoccupy the Government, which has taken further measures to strengthen the coastal patrol system. Three new ships, which will form the nucleus of the new coastal patrol service, have been delivered within the past month, the Sea Lion, a 60 foot cutter, the Shark, a 40 foot cutter, and the Sinbad II, a 70 ton patrol boat. It remains to be seen whether these new ships, together with British naval vessels now being used, can prevent the landing of ships bearing illegal immigrants. It is indeed a difficult task, for the vessels engaging in this traffic must be prevented from entering territorial waters. Ships do not fear arrest but rather invite it, the idea being to land the immigrants even at the expense of confiscation of the ship and arrest of the crew. One ship boldly sailed into Haifa harbor, voluntarily surrendered to the authorities, and was permitted to land its passengers.

Some 2,000 illegal immigrants have entered the country since my despatch of June 26, principally as follows:

(a)/



- (a) 742 on the Greek schooner "Marsia" captured near Gaza on June 29. The schooner was beached as it was unseaworthy and was found to be sinking.
- (b) 370 on the Greek operated S.S. "Los Perlos" under Panamanian registry, captured near Mathanya on July 2.
- (c) 697 on the Greek schooner St. Niccla which sailed into Haifa harbor on July 3 and voluntarily surrendered to the authorities.
- (d) 74 persons apprehended as a result of searches in the Rehovoth area. Others who entered individually and temporary visitors who stayed illegally will bring the total for this period to at least 2,000.

Thus, since April 1, the beginning of the present quota period, some 4,800 Jews have entered Palestine illegally. Of this number, 1,300 who entered from April 1 to May 24 (the date the quota ordinance was drafted) were deducted from the current quotas, leaving approximately 3,500 to be deducted from future quotas.

The arrival of further immigrant ships in the near future is not unlikely, as it is reported that at least four ships with some 2,500 refugees on board are now cruising about the Eastern Mediterranean looking for haven for their unhappy passengers. The plight of these unfortunate refugees has deeply perturbed the Jews of Palestine. The Jewish press played up particularly the

story/

story of the Panamanian S.S. "Rim" which burned off Rhodes on July 6, its 400 Jewish refugees having been rescued by the Italian ship "Fiume" and taken to Rhodes. Now receiving considerable attention is the case of the 650 refugees who were permitted to land at Beirut on July 14 as a result of an outbreak of plague on their ship, the Italian S.S. "Preslo". They have been interned and, it is understood, will be required to leave the country. Conditions on these refugee ships are known to be extremely bad. The very fact of the existence of such ships loaded with what the local press terms "human derelicts" floating about for weeks looking for haven presents something of an international scandal. The "Palestine Post" of July 19 drew an analogy between this situation and the slave trade of last century.

Therefore, as I have already remarked, it is not unlikely that many of these refugees will find their way into Palestine in the near future, particularly considering their desperate plight and the disposition of the Jewish people to help them enter at all costs.

Respectfully yours,

George Wadsworth  
American Consul General

File No. 858  
HBM/dl

DUPLICATE

No. 3171.

LONDON, August 5, 1939

SUBJECT: Suspension of Immigration for Palestine.

The Honorable

The Secretary of State,

Washington, D. C.

Sir:

I have the honor to report, in continuation of my despatch No. 3037 of July 15, 1939 on the suspension of immigration into Palestine, that the Colonial Secretary (Mr. Malcolm MacDonald) stated in the House of Commons on August 4 that the Government could not reconsider its previously announced decision in this matter and that the

prohibition

prohibition on immigration into Palestine for the six months' period beginning October 1, 1939 would extend to refugee children and dependant parents.

1/ An excerpt from Hansard giving the full text of Mr. MacDonald's statements, together with the questions to which they were a reply, is enclosed.

Respectfully yours,

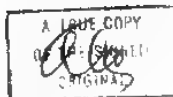
Herschel V. Johnson  
Chargé d'Affaires ad interim

Copy to Jerusalem.

Enclosure:

1. Parliamentary Debates, House of Commons, August 2, 1939. (Cols. 2393-2396).  
(Single copy).

RES/alc



770  
The  
Refugees

July 21, 1939.

A-B - Mr. Berle

U - Mr. Welles

S - Mr. Secretary

NEW PALESTINE IMMIGRATION QUOTAS FOR THE PERIOD  
APRIL 1 TO SEPTEMBER 30, 1939.

New Palestine immigration quotas for the period April 1 to September 30, 1939 in conformity with the new immigration policy as set forth in the British White Paper of May 17, 1939 were promulgated in the Palestine Gazette of June 15, 1939. They are commented on at some length in the attached despatch dated June 26, 1939 from Mr. Wadsworth, our Consul General in Jerusalem.

It is noteworthy that it is since the establishment of the quotas for the period ending September 30 that Mr. Malcolm MacDonald, British Secretary of State for the Colonies, announced in the House of Commons on July 12 that, owing to the great numbers of illegal immigrants entering Palestine, Jewish immigration into that country would be suspended as of October 1.

The new immigration regulations provide for the issuance in the six months period from April 1 to September 30, 1939 of 10,950 immigration certificates, of which 10,350 are for Jews and the remainder for

Arabs

Arabs and others. Of the 10,350 certificates for Jews, 5,000 represent one-half of the annual Jewish quota of 10,000 contemplated by the White Paper during the next five years and the remaining 5,350 are for refugees as part of the total of 25,000 to be admitted during those five years in accordance with the provisions of the White Paper. From the total of 10,350 there have been deducted 1,200 certificates issued to Jews in April in anticipation of the quota. From the remainder of 9,150 there have been deducted 1,300 illegal Jewish immigrants apprehended in the country and known to have entered or remained illegally from April 1 to May 24, the date on which the new immigration ordinance was drafted. There is thus left a figure of 7,850 certificates for issuance to Jews during the five months from May to September. The effective number of immigration certificates for Jews for the current six months is 10,350, leaving a balance of 64,650 certificates to be issued before the expiration of the five years envisaged in the British White Paper.

The 7,850 certificates for issuance during the five months from May to September are to be distributed as follows:

Ordinary

	Ordinary Annual Quota	Refugee Quota	Total
Persons with capital of £P.1,000 (\$5,000) .....	950	550	1,500
Persons with income of £P.4 (\$20) a month .....	35	35	70
Agricultural settlers with £P.500 (\$2,500) .....	--	35	35
Persons of religious occupa- tions .....	--	35	35
Students .....	1,060	1,600	2,660
Laborers .....	400	200	600
Dependents .....	<u>1,200</u>	<u>1,750</u>	<u>2,950</u>
Totals .....	3,645	4,205	7,850

It may be observed that the new quotas for the six months period April 1 to September 30, 1939 established in accordance with the British White Paper on Palestine provide for the admittance of approximately 862 Jews monthly, including 418 regular immigrants and 446 Jewish refugee immigrants. This may be compared with a total number of 740 Jewish immigrants admitted monthly under the six-months quota from October 1, 1938 to March 31, 1939 in operation before announcement of the new British policy on Palestine and of 790 admitted in April 1939. However, it is to be remarked in connection with this comparison that the dependent wives and children of immigrants were admitted outside the quotas previous to the new immigration ordinance of June 15, 1939.

In connection with the provision of the new immigration ordinance providing for the deduction from the quotas of only the 1,300 Jewish immigrants apprehended between

April

April 1 and May 24, Mr. Wadsworth notes that such illegal immigrants apprehended between May 24 and September 30 will not be deducted from the current quotas, with the result that for more than four months there will be both legal and illegal immigration. He adds that, had adjustment been made on a monthly basis, current legal immigration would have been virtually abolished (as it has been subsequently for the six months' period beginning October 1).

In the fortnight following the drafting of the ordinance on May 24, some 1,500 Jews entered Palestine illegally, or a number sufficient to have exhausted the quota for almost two months.

Mr. Wadsworth reports that Jewish reaction to the new quotas follows the line already taken unanimously by the Jews with regard to the British White Paper in general and its immigration provisions in particular. He notes that Arab distrust of British intentions has been heightened in view of the temporary acceleration of immigration and he expresses the opinion that Arab suspicions are not apt to be allayed until the Government takes more effective measures to control illegal immigration and until the rate of current immigration is reduced. Those effective measures have since been taken with the announcement of the suspension of immigration as of October 1.

Wallace Murray

887 N.55/136  
NE J.R.Childs/EG



EDA

This telegram must be  
closely paraphrased  
before being communi-  
cated to anyone (BR)

JERUSALEM

Dated June 16, 1939

Received 11:40 a.m.

Secretary of State

Washington

June 16, 4 p.m.

Immigration schedule (which is now officially designated  
as quota in keeping with new British policy) was promul-  
gated yesterday to cover six months April 1st to September  
30th. A total of 10,950 certificates are made available  
for issuance during this period of which 10,350 are for  
JEWS.

Of the latter total 5,000 represent one half of the  
annual quota of 10,000 and the remainder refugees to be  
admitted in accordance with the new policy. From this  
total, however, there are deducted 1200 certificates issued  
in April (see my telegram of April 15, noon) and 1300  
illegal immigrants apprehended from April 1st to May 24th  
date of drafting order. The balance of 7850 is the number  
of additional certificates which may now be issued to JEWS  
prior to October 1 and is allocated as follows: 3,645 to  
ordinary quota and 4,205 to refugee quota.

WADSWORTH

RR

June 1 1939

No. 761

To the American Ambassador,  
London.

The Secretary of State encloses, for the information of the Vice Director of the Intergovernmental Committee on Political Refugees, a copy of despatch no. 928 from the American Consulate General at Jerusalem, Palestine, dated May 3, 1939, concerning illegal Jewish immigration into Palestine.

Enclosure:

As stated.

En:SVN:EMC  
5-31-39



PJC

AMERICAN CONSULATE GENERAL

Jerusalem, Palestine

May 3, 1939

SUBJECT: Illegal Jewish Immigration into Palestine.

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

The promulgation on April 17, 1939, of an amendment to the Palestine Immigration Ordinance prescribing drastically heavier penalties for offences involving the aiding and abetting of illegal immigration into this country, I have the honor to report, marks the end of a chapter in the history of this complicated problem. Its general background was reviewed in the Consulate General's despatch No. 672 of August 6, last.

Under the new amendment, British Navy vessels are to be used as patrols. Owners of vessels engaging in the traffic are made liable to fines up to £10,000 and imprisonment up to five years. The offending vessels, if under 1000 tons, may be confiscated. And for other persons aiding illegal entries fines up to £1,000 and imprisonment up to two years are provided. Details are given at the end of this despatch.

The/

The striking increase in this traffic during recent months, an estimated monthly average of 1,000 Jewish refugees being admitted even in local Jewish circles, was held by British officials to constitute ample reason for drastic repressive action. Further and of more immediate importance, the problem was complicating Anglo-Arab negotiations for political appeasement in Palestine.

As indicated in the despatch under reference, illegal immigration of Jews into Palestine at the rate of a few (probably not more than three) thousand a year had become so accepted a condition that the British authorities, prompted by humanitarian considerations, did almost nothing to apprehend and deport offenders. Local estimates put their total at between 25,000 and 50,000. It is now commonly known in well-informed local circles that at the recent London Conference on Palestine the British Colonial Secretary, Mr. Malcolm MacDonald, put the figure officially at approximately 40,000.

In Parliament on April 25 and 26 Mr. MacDonald described current developments. At question time on the first of these days he announced that during the two months ended April 15, 1920 illegal Jewish immigrants had been prevented from entering the country. On March 21, he said, the SS. "Sandu" was apprehended with 269 illegal immigrants on board and forced to return to Constanza; on April 2, the SS. "Astir", with 698 on board, was prevented/

vented from landing; and on April 4 the SS. "Assimi", with 250 on board, was arrested and required to set out to sea again. On April 15 the Greek schooner "Panagiya Correstrio" was apprehended and brought to Haifa after endeavoring to land its 182 illegal immigrants.

In answering a further question on April 26, Mr. MacDonald indicated that illegal immigration into Palestine was continuing at the rate of about 1,000 a month, and that, while the British Government had great sympathy for Jewish refugees, he took a serious view of illegal immigration and was forced to take special measures to stop it. To this end, the coast guard service was being strengthened, marine police were being organized, and an amendment to the Immigration Ordinance to strengthen the government's hands would be enacted. He added the further pertinent information that the High Commissioner was being authorized to deduct from future quotas the number of illegal immigrants apprehended in the country.

Public interest in Palestine, fully aroused by this time, was fanned by the partisan press and by the occurrence of a number of incidents. The fourth ship mentioned by Mr. MacDonald, the "Panagiya Correstrio", provided a crowning cause célèbre. Jewish reaction was one of disillusionment and bitterness against the British Government, that of the Arabs one of irritation and apprehension. The former apathy of the British authorities

was/

was transformed into a determination to enforce the law, a resolve made more difficult by their natural pity for the plight of the refugees.

The "Panagiya Correstrio" was a small Greek schooner with literally no proper accommodations for its 182 Jewish refugees from Europe. Although at first insisting that the ship put out to sea after being provisioned, the authorities finally permitted it to land its human cargo on April 24 but instituted proceedings against the ship and its passengers. Their decision was clearly prompted by the obvious unseaworthiness of the ship, its lack of provisions, the pitiful plight of the passengers and the extremely bitter feeling in Jewish circles.

In addition to these cases, the Jewish press played up the case of two women and three children who were apprehended on April 17 at Rosh Pinah after a trek of four months from Bokhara. These persons were alleged to have been set free and told to cross into Syria but, having got lost, they returned again to the police post. They are understood then to have been sentenced to one month imprisonment.

To aggravate the situation further, 218 Jewish refugees were found on the beach near Ashkelon on April 23, having been left there by an unknown ship after thirty-six days at sea. They were interned, suffering from hunger and exhaustion, at the military camp at Sarafand. Together with those from the "Panagiya Correstrio" they will,

it/

it is understood, be interned in a special camp near Mt. Tabor.

Typical of heightened Jewish feelings during the period are the following eloquent excerpts from a leading editorial in the Jewish-Agency-controlled "Palestine Post" of April 24:

If a wounded animal was found trespassing in your garden, being a normal humane person, you would tend it and not stand upon the law of eviction. If from a shipwreck, men and women were tossed ashore, exhausted and without a country, they would, by a normal humane people, be succored, fed and clothed, and harboured until such time as they might find a bit of God's earth on which to stand and work, and lie down at night.

But on the shores of the country from which the gospel of love and mercy first overtook that of hate and repression, these common ministrations do not hold...Today in Palestine, as refugees who have contrived to reach our shores are turned away and set adrift onto the high seas, we are told--such is the law!

The scenes witnessed yesterday in the port of Haifa are unparalleled. It is tragic enough to see guards along the coastline to prevent the landing of truly shipwrecked humanity...But when by their own action the Government brings such people into port and...expels them once more to float about on the open sea, with two days' provisions, it is not sufficient to say: "It is the law".

There are times when the most peaceful citizen, if possessed of heart and soul, must protest against such laws.

This editorial had particular reference to the "casting-forth" of the SS. "Asimi". Jewish bitterness was but little allayed by the permission granted on April 24 for the refugees on the "Panagya Correstrio" to remain. The following quotation from the same newspaper's editorial of April 30 is in point:

Mr./

Mr. MacDonald was asked whether the Jewish refugees had been returned when refused permission to land, and he replied with official severity, though not with quite equal official exactness, that they had been returned to their ports of embarkation. As everyone in this country knows, they were just pushed back into the open sea...

The Minister replied with appropriate moral indignation that the responsibility rested with those who organized this illegal immigration... and this on the strength of regulation which his own government has, through the mouth of his predecessor, officially described as "admittedly arbitrary".

What the British Government quite evidently overlooks is the plain fact that but for this admitted arbitrariness, the question of illegal immigration need not have arisen... These laws will add nothing to Britain's honour and prestige, however pleasing they may be to the terrorists who in so many other things during the last three years have called the tune in this country.

Arab reaction was typified by the following excerpts from an editorial of "Falastin" of April 25 carrying the following headline: "Persecuted Humanity! They Talk and Avoid Relieving It. The Despicable Attitude of the West in Regard to Smuggling Jews into Palestine."

The Jews are stirring up sentiment for the smuggled Jews. No matter how strong our enmity is with the Zionists, we still feel with these unfortunate people who cannot land anywhere...

We unhesitatingly answer that certainly it is inhuman to refuse such refugees. But...the country where those smuggled people were caught is this country where aliens now number almost half the inhabitants. Why should the detention of those smuggled mean inhuman treatment only here?...If those persecuted refugees must have land to set foot on, why must it be Palestine - only Palestine?

In Washington's news (and Washington as you know is the capital of America,

the/



the country of compassion and human sympathy, provided that these sentiments do not overstep the limits of Jewish interests) it is reported that 200 Congressmen strongly demand that immigration to Palestine be made free ...What insolence...that those Congressmen should issue that impudent statement in the name of humanity while they represent a people devoid of any humaneness if the accepting of Jewish refugees is a measure of humaneness."

Thus, we find the stage set for the special measures promised by Mr. MacDonald. These took the form of the amendment to the Immigration Ordinance referred to in my opening paragraph. This enactment, published in Supplement No. 1 to Gazette Extraordinary No. 384 of April 27, 1939, strengthened the hands of the authorities by:

(a) Increasing maximum penalties for aiding and abetting persons in contravening immigration laws from £P.200 and/or up to one year in prison, to £P.1,000 and up to two years in prison;

(b) Extending the existing provisions relating to the forfeiture of ships engaged in the transport of illegal immigrants to include vessels up to 1000 tons, the previous law having put such figure at 250 tons;

(c) Increasing the maximum fine on ship-owners from £P.1,000 fine to £P.10,000 fine and/or imprisonment up to five years;

(d) Permitting the stopping and bringing into port and detention on suspicion of vessels suspected of harboring illegal immigrants; and

(e) Permitting the use of force against vessels which do not stop when signalled. Such vessels may be fired at after the firing of a warning shot.

It/

It is not unlikely that the energy, speed and determination of the Government in taking measures to stop illegal immigration will act as a greater deterrent than the enactment itself. It is understood, too, that more care is being used in the granting of temporary visitors' visas for Palestine to prevent refugees finding permanent haven here in the guise of visitors. I am aware that this latter practice had been prevalent, for this office has received several hundreds of applications for immigration visas for the United States by such persons whose names will not be reached on the quota waiting list for many years.

The measures adopted will probably result in curtailment of illegal immigration. Without such action, local British official circles believe, the solution of the Palestine problem will be difficult, if not impossible. They welcome particularly the attitude adopted in this regard at the London Conference. There, I am reliably informed, Mr. MacDonald stated categorically to the Arab delegates that he realized the Arabs were above all anxious to be rid of uncertainty with regard to immigration and fear of domination by the Jews but that he was persuaded a five-year period ending in a definite maximum for Jewish population would afford the desired assurance.

Respectfully yours,

George Wadsworth  
American Consul General

File No. 855  
HBM/CW/ek

May 23 1939

No. 730

CONFIDENTIAL - STAFF USE ONLY

To the American Ambassador,  
London.

The Secretary of State encloses, for the information of the Vice Director of the Intergovernmental Committee on Political Refugees, a copy of despatch no. 904 from the American Consulate General at Jerusalem, Palestine, dated April 10, 1939, concerning recent immigration enactments.

Enclosure:

As stated.

Eu:TGA:EMC  
5-22-39



PJC

Original forwarded by Air Mail on April 19, 1939

NO. 904

AMERICAN CONSULATE GENERAL  
Jerusalem, Palestine  
April 10, 1939

SUBJECT: Enclosing the Report for 1938 of the  
Palestine Department of Migration with  
Interpretive Comments and Brief Review  
of Recent Immigration Enactments.

RECEIVED  
DEPARTMENT OF STATE

1939 MAY 12 PM 3 19

THE HONORABLE

DIVISION OF  
IMMIGRATION  
AND NATURALIZATION

THE SECRETARY OF STATE,  
WASHINGTON

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In pursuance of the Consulate General's practice of keeping the Department informed of developments in the important field of immigration into Palestine (and supplementing its basic report of May 5, 1937, entitled "A History of Post-War Jewish Immigration into Palestine"), I have the honor to enclose a copy of the Annual Report for 1938 of the Palestine Department of Migration. In this covering despatch I shall review very briefly the various enactments of the Palestine Government in the field of immigration since the first arbitrary numerical restriction on immigration was imposed effective August 1, 1937. Attention will, at the same time, be drawn to the more important statistics given in the Report.

The first arbitrary numerical restriction on immigration into Palestine was imposed effective

August/

August 1, 1937, when, carrying out a specific recommendation of the Palestine Royal Commission, immigration was limited to an average of 1,000 a month for the eight-months period August 1, 1937 to March 31, 1938. This important step was given legal effect by an ordinance of November 11, 1937; its political implications were discussed in my despatches Nos. 344 and 353 of November 10 and 17, 1937. The traditional policy of "economic absorptive capacity" was thus temporarily (sic) abandoned in favor of the expedient of "political high level".

The power given to the High Commissioner to prescribe the maximum aggregate numbers to be admitted as immigrants was, in a further ordinance of March 15, 1938, extended for one year to March 31, 1939, and quotas were established for the first semester of that year, i.e., for April 1 to September 30, 1938. This represented a departure from the previous practice of restriction to an average of 1,000 a month in all categories, in that students and certain close relatives of immigrants and residents were permitted unrestricted entry while specific quotas were established for persons in other categories. It was expected by the Department of Migration that this system would increase the 1,000 a month figure only slightly, which indeed proved to be the case. (This new policy was discussed in despatch No. 556 of March 19, 1938, and the subsequent slight liberalization of the quotas in despatch No. 602 of May 12, 1938.)

The/

The High Commissioner's right of prescription, which it is again pointed out had been made valid to March 31, 1939, was again exercised for the second semester of that year, i.e., for the period October 1, 1938 to March 31, 1939, in accordance with an ordinance dated October 27, 1938. The schedule then published was identical with that for the previous six months except that the quota for dependents other than wives and children was increased, for humanitarian reasons. This schedule was discussed in despatch No. 759 of October 31, 1938.

Finally, (as stated in my telegram of April 7, 1939, the High Commissioner's right of prescription was extended indefinitely by an ordinance published on April 6, 1939. It may be noted here that quotas after April 1, 1939 will refer to immigration certificates to be issued and not, as heretofore, to persons to be admitted, as it was found that many immigrants from Europe to whom certificates had been granted had found themselves unable to come to Palestine during the period of validity of their certificates. As further indicated in my telegram, the High Commissioner has not as yet exercised his renewed right of prescription and no schedule for the period begun April 1, 1939 has been issued. Hence, for the moment, the only immigration possible into Palestine is that of persons to whom certificates were issued before April first and of persons not  
falling/

falling within the restricted categories. It is thought that the schedule for the current period will be held up until the long-awaited British statement of its future policy in Palestine is made, for specific recommendations on immigration will undoubtedly be made therein. It is probable that the Department will have this statement of policy in its hands prior to the receipt of this despatch.

Jewish fears that the temporary expedient of political high level was the beginning of a permanent policy of restriction of immigration appear to have been well founded in view of the extension indefinitely of the High Commissioner's right of prescription. Typical of this fear, so often expressed in Jewish circles, was that of the Jewish-Agency-controlled "Palestine Post" of October 27, 1938, which referred to the continuance of the measure in question as "a temporary expedient becoming dangerously like a permanent regulation".

To proceed to the main theme of this despatch, total immigration into Palestine in 1938 amounted to 15,263, which includes 1,848 temporary visitors granted permission to remain permanently. It is interesting to note that this total is extraordinarily close to the 15,500 cited in despatch No. 619 of May 28, 1938 as the estimated total which would enter the country during that calendar year.

The table given below will, I believe, give a clearer picture of gross and net immigration into Palestine in recent years than that given on page 31 of the enclosed report, as the latter does not  
include/

include temporary visitors registering as immigrants after arrival and does not show the Jewish proportion in the total. The figures on gross immigration given below were compiled in this office from previous reports of the Palestine Government while those on net immigration were taken from page 31 of the report for 1938. The figures on emigration used in previous reports from this office, which were our own calculations based on official records, have been dropped as the Department of Migration has for the first time included such figures in its annual report.

I should like to call attention to the explanation given in Paragraph 58.7, page 34, as to why there was a net emigration of 126 from Palestine in 1938. The emigration of 8,211 non-Jews mentioned there consisted largely of Arabs who took refuge in neighboring countries because of the disturbances in Palestine. Their residence, largely in Syria, is considered temporary, so that the actual net immigration into Palestine should be 8,058 (not including illegal immigrants, for which see below). However, the figure - 126 must be used if the true definition of net immigration - total arrivals minus total departures - is to be maintained.

GROSS AND NET IMMIGRATION INTO PALESTINE

Year	<u>Gross Immigration</u>		Total	<u>Net Immigration</u>
	Jews	Others		Total
1930	4944	1489	6433	2966
1931	4075	1458	5533	4472
1932	9553	1736	11289	15908
1933	30327	1650	31977	41870
1934	42359	1784	44143	47808
1935	61854	2293	64147	65867
1936	29727	1944	31671	22052
1937	10536	1939	12475	5237
1938	12868	2395	15263	-126

Sources/



Sources of Immigration.

Attention is invited to the table given in Paragraph 26, page 14, as to the sources of Jewish immigration. It will be observed that Germany now supplies 52 per cent of Palestine's immigrants, while the Polish percentage has been reduced to 25. Only one per cent of the total were citizens of the United States, or, as shown on page 70, eighty persons. This compares with 1482 American citizens who arrived in 1935. Only 33 Americans, as will be noted on page 114, were naturalized in 1938 as citizens of Palestine. The table on page 72 shows the previous residence of immigrants while that on page 66 indicates their birthplaces.

Emigration.

Figures on emigration from Palestine are not, it is generally conceded, very reliable. This is because official records show merely whether persons departing declare they are leaving the country for more or less than one year. Many persons declare they will return within one year, although they are leaving permanently, in order to obtain return visas for Palestine in case they wish for some reason to reenter the country within that time. It is thought that some 3,000 to 4,000 persons left the country permanently in 1938 instead of the 1,811 indicated in the table on page 62, as leaving for more than one year.

It may be stated here that there is a desire on the part of a considerable section of both the Jewish and Arab population to emigrate, which is impossible of realization in the absence of attractive countries which will accept them.

Thousands/

Thousands of them have placed their names on the waiting lists of this office for visas for the United States and thousands more would do so if the waiting time were not known to be so long.

Temporary Visitors.

During 1938, a total of 83,021 temporary visitors entered Palestine, a number which compares favorably with previous years, as will be noted from the table in Paragraph 50, page 22. However, it was not a good tourist season, considerably more than half of the visitors having come from neighboring countries and only a few thousand belonging to the class, such as those from the United States and Europe other than Germany, who spend money in the country. The Palestine Government, as well as non-official agencies, are discouraging tourists from coming to Palestine and it is probable that 1939 will see further diminution in the entry of travelers. The table on page 82 shows the places of usual residence of visitors who entered in 1938.

Illegal Immigration.

Illegal Jewish immigration into Palestine, (which was discussed at some length in my despatch No. 672 of August 6, 1938) continues. It is principally of three kinds - temporary visitors who stay in the country illegally, individuals who evade frontier control, and organized groups up to 600 in a group who come on specially chartered ships. The table given in paragraph 49, page 21,

gives/

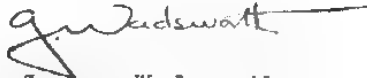
gives the numbers in the first group, temporary visitors remaining illegally, since 1933, the pertinent figure for 1938 being 2,503. As to the other two groups, no reliable figures are available. It is generally estimated, however, that several thousand persons are thus entering the country illegally. It is admitted by the authorities that several ships have succeeded in landing their clandestine immigrants at points along the coast. An official of the Jewish Agency recently told me that his organization estimates that some 1,000 Jews entered the country illegally during each of the last months of 1938 and early months of 1939. It is not unlikely that the number of Jews who entered Palestine illegally or remained illegally in 1938 would amount to between 5,000 and 10,000.

As indicated in my despatch No. 672, the British authorities are apathetic in apprehending and deporting persons who enter the country illegally, in the absence of any country to which they could be deported and considering the fact that their hands are full with the disturbances. I do not, however, believe that British officials connive at or even look with favor on illegal immigration. They are well aware of its existence and additional measures are being taken to prevent it. For example, only recently three Greek ships were apprehended with a total of about 1,000 immigrants they were about to land illegally. The ships were required to put out to sea without discharging their passengers. It would appear that a solution of the Palestine

problem/

problem or a statement of policy as to the future of the country will be accompanied by more careful and efficient control of illegal immigration, not improbably including legal authority to consider as immigrants and, hence, to deduct from such new political high level as may be proclaimed all illegal immigrants who may be apprehended and recommended for deportation but whose deportation on practical or humanitarian grounds is found to be impossible or impolitic.

Respectfully yours,



George Wadsworth  
American Consul General

File No. 855  
HBM/ek

Enclosure:  
Annual Report of Department  
of Migration, 1938

Original and four copies to Department  
Two copies for the files of this office

# White Paper Highlights

*Following are some significant passages of the British White Paper issued yesterday, stating London's attitude on Palestine:*

His Majesty's government believe that the framers of the mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. \* \* \* His Majesty's government now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State.

When it is asked what is meant by the development of a Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a center in which the Jewish people as a whole may take, on grounds of religion and race, an interest and pride. \* \* \* His Majesty's government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine.

Their [the British Government's] objective is self-government and they desire to see established ultimately an independent Palestine. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured. \* \* \* It will be the constant endeavor of His Majesty's government to promote good relations between the Arabs and the Jews.

If at the end of ten years it appears to His Majesty's government that, contrary to their hopes, circumstances require the postponement of the establishment of the independent State they will consult the representatives of the people of Palestine, the Council of the League and the neighboring Arab States before deciding on such a postponement.

If immigration has an adverse effect on the economic position in the country it should clearly be restricted; and equally if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. \* \* \* The fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. \* \* \* If in these circumstances immigration is continued up to the economic absorptive capacity of the country regardless of all other considerations a fatal enmity between the two peoples will be perpetuated and the situation in Palestine may become a permanent source of friction among all the peoples in the Near and Middle East.

His Majesty's government cannot take the view that either their obligations under the mandate or considerations of common sense and justice require that they should ignore these circumstances in framing an immigration policy.





RFP

TELEGRAM SENT

This telegram must be  
closely paraphrased be-  
fore being communicated  
to anyone. (B)

May 13, 1939

4 p.m.

AMLEGATION

ATHENS (GREECE)

91.

CONFIDENTIAL.

With reference to despatch No. 1745 of December 10,  
1938, from Shantz, the American Consul General at  
Jerusalem reports that certain Jewish organizations in  
Palestine may attempt to use ships of American registry  
for smuggling immigrants into that country, primarily  
with a view to prejudicing Anglo-American relations in  
the eastern Mediterranean.

Please make discreet investigation and keep both  
the Department and Jerusalem informed of any information  
you may obtain regarding efforts to use ships either of  
American or Panamanian registry for the purpose indicated.

840.48 Refugees/1604  
NE:GVA:JRC/GC IN RA Eu

HULL  
(GSM)



REB

This telegram must be closely paraphrased before being communicated to anyone. (br)

CAIRO

Dated May 1, 1939

Rec'd 5:05 p. m.

Secretary of State,

Washington.

49, May 1, 5 p. m.

My telegram No. 48, April 29, noon.

I am informed from a usually reliable source that late Saturday night at their final meeting the delegations agreed to the following:

(First) The formation of a national government to be administered by Palestine officials. British advisers may be appointed.

(Second) The limitation of Jewish immigration for a period of five years not to exceed 15,000 in each year including those who enter the country illegally and on condition that the total number of Jews never exceeds one-third of the Arabs.

(Third) Restrictions upon the sale of land throughout the country without exception of any district as has heretofore been suggested.

(Fourth). The formation of a national assembly after

three

REB

2-#49, From Cairo, May 1, 5 p.m.

three years the representation therein to be in the same proportion as set forth in paragraph two. The national assembly to draft a constitution.

The above proposals have been given to the British Government with the request that they be included in the unilateral statement to be issued by Great Britain imposing its solution of the Palestine situation.

On their part the delegations will issue an appeal to the Palestine Arabs that all terrorism cease and the Arabs will announce their cooperation in setting up the form of government outlined above.

The Saudi Arabian delegates departed for their homes yesterday.

It is expected that the British Cabinet will announce its future policy in Palestine on May 10 sending its final decision to the interested governments for their information before making official announcement.

FISH

EMB

NPL

No. 895

AMERICAN CONSULATE  
Jerusalem, Palestine, April 3, 1939.  
GENERAL.

Subject: Review of the Palestine Press for the Fortnight Ended  
March 26, 1939.

The Honorable

The Secretary of State,

Washington.

Sir,

I have the honor to transmit herewith, with brief comment, certain news items which daily review of the Palestine Press suggests may be of current interest to the Department though not of a nature to warrant submission in separate despatch form.

Respectfully yours,

George Wadsworth  
American Consul General.

Enclosure:  
Press Review

File No. 891  
GW/eh

Distribution

Original and 4 copies to Department of State  
1 copy to the American Embassy, London  
1 copy to the American Legation, Baghdad  
1 copy to the American Consulate General, Beirut

REVIEW OF THE PALESTINE PRESS

For the Fortnight Ended March 28, 1939.

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NOTE: Economic Items are submitted in the Consulate General's "Fortnightly Economic Review."

## REVIEW OF THE PALESTINE PRESS

For the Fortnight Ended March 26, 1939.

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### I. GENERAL.

1) The London Conference, which opened on February 7 and ended March 17 with the rejection by both Jews and Arabs of the British "final proposals", continued during the fortnight under review the chief subject of local editorial comment. Details of local reaction are given in despatch No. 880 of March 22.

Even the European crisis which brought daily head-lines of further German aggression--dismemberment of Czechoslovakia, pressure on Roumania, annexation of Memel, etc.--was viewed primarily through editorial spectacles colored by local interest. To the Jews it meant above all further persecutions of their brethren in Central Europe. To both it meant delay in the promised early announcement of a new British policy in Palestine.

Comment: From one generally well-informed local source I have it that the delay is based in large measure on British unwillingness to offend pro-Zionist sentiment in the United States pending Congressional consideration of new neutrality legislation.

No editorial comment in this sense, however, has appeared in the local press--an omission I am glad to be able to record, for mention of the allegation would but have added further fuel to the smouldering fire of Arab anti-Americanism reported in my despatch under reference.

2) British Forces in Palestine to Constitute "Middle East Reserve." An interesting announcement was made by the British Secretary of State for War, Mr. Hore-Belisha, when presenting current Army Estimates in the House of Commons on March 8. In the course of a lengthy exposition dealing with preparations for possible intervention with land forces on the Continent and other matters, he mentioned, according to Reuters, that "in order to secure freedom of manoeuvre for the Fleet and reduce to a minimum the calls upon it for escorts, they were strengthening

the

the defence of overseas posts and forming strategic reserves in the Middle East, India and the United Kingdom." On the former, according to the London "Times" of March 8, he continued:

Accordingly in the current year the nucleus of an additional Strategic Reserve in the Middle East was formed, at present included in the two divisions stationed in Palestine. These divisions were an example of the flexibility which we now apply in assembling our formations.

The Middle East Reserve was a separate force, freed from the necessity of drawing on our home resources. It would have its own reserves and be held for use anywhere within the radius of our interests in that part of the world. Here was another illustration of the manner in which we were meeting new requirements with a new strategy, which was really a revival of the old principle of self-sufficiency.

Comment: The Jewish-controlled "Palestine Post" of March 14 commented pointedly: "It has been a contention of the Zionists, from the moment when those talks began which led to the Balfour Declaration, that Palestine represented an imperial interest." Some indication of the cost of maintaining this Middle East Reserve is given in Item IV-1, below.

## II. AMERICAN MATTERS.

### 1) American Zionist Leaders "Report" to the President.

The Jewish "Paloor" agency reported from New York on March ■ that the President had received Drs. Stephen Wise and Solomon Goldman "who reported to him on the Palestine talks in London" and on "American Jewry's steadfast support of their brethren in Palestine" in their "determination to continue their work of upbuilding." Stressed were the President's reported expression of "deep sympathy with the achievements by the Jewish people in Palestine" and his "understanding of the Jewish National Home."

"Al-Jihad", pro-Mufti Arabic daily, however, gave a different interpretation to the brief news agency telegrams reporting this meeting, as shown by the following extracts from

its

its editorial of March 25:

It seems that President Roosevelt has given thought to the advice of his Ambassadors...and has become even more bold than "Magic Umbrella" Chamberlain in ridding himself of the ailiness of Zionism...

We gather from reports that when receiving the two Zionist agitators the President refused to make then and thenceforth any statement regarding the attitude of America towards that most criminal of all things, the Zionist movement...

We should have liked to see Britain take so courageous a stand, one less influenced by world Zionism... Britain remains deaf and blind.

2) "America's Position." Under this editorial heading the "Palestine Post" of March 20 stressed "growing hostility to Germany in the United States" but questioned "whether the necessary reorientation of American foreign policy will proceed quickly enough to influence the course of events in the coming weeks." While welcoming Senator Pittman's "initiative in seeking a modification of the Neutrality Act" it feared that "the temptation to hamper the President in his conduct of foreign policy will prove irresistible to his opponents."

Comment: I have frequently mentioned the unique influence of this, Palestine's only English-language, daily in moulding the opinion on home affairs of our 8,000 American Jews.

### III. ARAB AFFAIRS.

1) Nashashibi Advice. A Reuter interview with Ragheb Bey Nashashibi, leader of the National Defense Party and opposition (i.e. anti-Mufti) delegate at the London Conference, reports him as saying, in London on March 22 prior to departure for Cairo, that "there were many advantages to the British proposals" and that a majority of the Palestine Arabs "fed up with terrorism and the continuous negative policy of the Mufti" could be expected to cooperate with the Government in the carrying out of a policy approximating

such

such proposals. He stressed that official recognition had been given to the Arab claim to independence, that a firm and fixed policy to that end through specific progressive stages was to be anticipated and that the Palestine Arabs were assured they would remain a majority in their country.

Comment: That Ragheb Bey is prepared to cooperate within this order of ideas is certain. I talked with him a few days before his flight from Jerusalem last August. "A firm and fixed policy," I remember him saying, "is what we need, one which will lead after a few years of building self-governing institutions to the establishment of an independent state in alliance with Great Britain and which will so limit Jewish immigration as to guarantee us permanently at least a two-thirds majority of the population."

That there are many Arabs who are, as he now says, "fed up with terrorism" is certainly true; but my best information on Arab reaction does not bear out his contention that the Mufti's leadership is questioned by any considerable portion, let alone by the great majority of the people. The Arab Higher Committee statement of March 25--to be enclosed with my current political despatch--gives the current pro-Mufti view.

2) The Haram Police Post Issue. On March 11 the British Official Wireless carried an item explaining the circumstances which had led to the stationing some weeks before of a post of Moslem police headed by two British constables in the precincts of the Haram-esch-Sherif, Jerusalem's most sacred Moslem shrine. "Individual acts of violence which are still occurring in Jerusalem," it began, "have necessitated enhanced precautions for maintaining the sanctity and decorum of the Holy Places." Permission, it continued, had therefore been obtained "from the religious authorities of the Haram to locate a small police post in a room rented for the purpose...every precaution is taken to ensure that police officers, both British and Arab, observe all the proprieties...no British soldiers have at any time occupied any mosque."

Comment: The reason for the issuance of this  
obviously



obviously inspired news item was clearly to counter widespread Moslem Arab propaganda alleging violation of the shrine. When I visited the Haram with Mrs. Kennedy on February 23, the head sheikh received us and made a particular point of expressing his displeasure. No mus-sim, he said, had called to prayer from the Haram minarets since the post had been established. He did not, however, recount the current bazaar tales of cigarette smoking and other "defilements" by the police.

#### IV. JEWISH AFFAIRS.

1) Illegal Immigration. Arab press agitation has continued during the last month against what is described as a new surge of illegal Jewish immigration. The campaign began with the incident of the seizure of the 150-ton Greek SS "Artemisi" reported in Item IV-2 of my Press Review of February 20, last. The following three items of interest in this connection have been reported during the fortnight under review:

a) On March 14 a Reuters telegram from Athens reported the stranding on a sandbank off Crete of a small steamer "reported missing for ten days after having left Constanza" with 780 Jewish refugees from Poland and Sudetenland aboard "who had tried vainly for some time to get visas for Palestine."

b) Early on the morning of March 22 the 500-ton Roumanian SS "Sandu" was seized by Marine Police officials while endeavoring to land Jewish refugees, of whom it was carrying 269, at a point on the Palestine coast near Caesarea. The ship, which had been at sea since March 5 and was running short of water and food, was escorted into Haifa harbor and two days later, after reprovisioning, re-escorted outside the 5-mile limit.

c) On March 26 the captain of the "Artemisi" was sentenced in the Haifa District Court to nine months imprisonment, £ 100 fine and confiscation of his vessel, the crew being acquitted

on the plea that when signing-on they had not been aware of the intended illegal traffic. The 17 Jewish refugees had earlier been sentenced to three months imprisonment and recommended for deportation.

Comment: Another ship, the 635-ton Greek SS "Astir", with some 600 intending illegal immigrants was later (on April 2) seized a few miles south of Haifa. I dined that evening with General Haining who commented: "The sea seems to be black with 'em. I suppose we are catching only a small proportion of the lot." Under the forthcoming "new policy", I gathered, provision is to be made for more effective coastal patrol.

8) "Blaming the Jews." Under this editorial heading the "Palestine Post" of March 24 answered what it termed the current "abuse and invective" of the Arabic press in blaming "Jewish influence" for the failure of the London Conference. "It is proposed", the paper ejaculated, "to liquidate the policy of the Balfour Declaration, and the Arab press writes of Jewish pressure on England!" Similar exception was taken to the charge that to Dr. Weizmann's efforts rather than to the international situation should be attributed postponement of the issuance of the new British White Paper on policy in Palestine. In blaming Zionism, it concludes, the Arab press appears "to have learnt something from 'Mein Kampf'."

Comment: Dr. Weizmann arrived in Palestine this morning (April 3) and the Jewish press reports that a meeting of the Zionist General Council is to be held in Jerusalem on April 25.

#### V. MISCELLANEOUS.

1) Palestine Expenditures in the British "Middle East Estimates." An air-mail despatch with London date-line of March 18 brings to the "Palestine Post" what appears to be fairly complete details of estimated British expenditure in Palestine and Trans-Jordan under "Civil Estimates for Middle Eastern Services" (covering both the Colonial and Foreign

Offices

Offices) for fiscal 1938/39 and 1939/40, as follows:

	<u>1939/40</u>	<u>1938/39</u>
Defense	L 1,778,000	L 1,743,700
Palestine: Grant in Aid of Expenditure Arising Out of the Disturbances	1,000,000	1,067,000
British Resident and Staff, Trans-Jordan: Salaries and Expenses	8,050	8,040
Trans-Jordan Frontier Force (Grant In Aid)	240,000	258,000
Trans-Jordan: Grant in Aid of Local Revenues	466,009	291,009
Hydrographic Surveys in Palestine and Trans-Jordan (Grant In Aid)	11,000	30,000
Palestine Technical Commission	-	6,000
Joint Survey of the Trans-Jordan-Mojd Frontier	15,000	1,000
Totals -----	L 3,518,059	L 4,224,749

It is explained that the first and largest item "Defense" is divided into roughly equal halves, the one being for "excess cost" of British Forces (over the cost of their upkeep at normal stations) which was previously borne by the Palestine Treasury, and the other for "capital cost of works services for these Forces." The second large item "Grant in Aid of Expenditure Arising Out of the Disturbances" is explained as being chiefly "provision for all recurrent expenditure on Police and Prisons in excess of that incurred in a normal year, the standard taken being that of 1935."

The other items require no explanatory comment except as to the increase of some £ 175,000 in the Trans-Jordan "Grant in Aid of Local Revenues." This, it is reported, arises primarily from the increase of the annual "grant towards the cost of improvement of roads" from £ 170,000 to £ 345,000, or three-quarters of the coming year's total.

Comment: Another news item of the period (Palestine Post of March 14) throws some light on the nature of

the

the contemplated Army construction work. £ 175,000, it reported, are to be spent during the year on the completion of a £ 200,000 infantry barracks project at Haifa; £ 127,000 on account of a similar £ 350,000 project in Jerusalem; and £ 145,000 on account of the still larger £ 520,000 project at Sarafand--in all, an appropriation of £ 447,000 as compared with £ 314,000 spent last year on account of these three major building projects. A number of minor projects, for which an appropriation of roughly £ 100,000 was allowed, were also mentioned.

2) N. S. Champion Appointed Galilee District Commissioner.

Announcement was made on March 14 that Mr. Reginald S. Champion, since 1934 Financial Adviser to the Trans-Jordan Government, had been appointed District Commissioner for the Galilee District. He will succeed Mr. A. S. Kirkbride whose appointment as British Resident, Trans-Jordan, was reported in Press Review of March 7, last.

Comment: Mr. Champion is 44 years old. After serving in the British Army of Occupation he entered the Palestine Civil Service as Deputy Governor of Hebron in 1920 and subsequently served in the District Administration at Beer Sheva and Jerusalem until 1928 when for 6 years he was seconded to the Aden Secretariat. Returning in 1934 he served for a few months as Acting Assistant Secretary prior to his appointment to Trans-Jordan.

It will be recalled that Palestine, for administrative purposes, is divided into four districts: Haifa, Galilee, Jerusalem and Jaffa-Southern.

AC

GRAY

Jerusalem

Dated April 18, 1939

Rec'd 1:35 p.m.

Secretary of State

Washington

April 18, 10 a.m.

Deputy Chief Secretary told me yesterday he anticipated publication on April 25th of the British White Paper on future policy in Palestine. The new policy, he gave me to understand, had already been approved in principle by the representatives of the Arab States meeting in Cairo, a factor which should contribute materially towards consolidating the British position in the middle east.

He was frankly optimistic that with this outside Arab support and with what he termed a practical breaking of the backbone of the Palestine revolt, cooperation by a majority of the Palestine Arabs in the implementation of the new policy would be forthcoming. The Mufti, he said, would not be permitted to return.

The major element of the new policy he implied would be modification of the mandate to permit the substitution of a program designed to foster the growth of self-governing institutions for that of the Balfour

declaration

AC - 2 - April 18, 10 a.m., from Jerusalem

declaration. The latter he observed had in large measure been accomplished and in its accomplishment and through no basic fault of the administration had led to the impasse and revolt of the last three years.

This formula he added did not constitute a specific promise of eventual independence, the problems of Palestine (notably those of the Holy places and of the Jewish National Home) being of far too complicated a nature and world wide ramification to permit of their being left to necessarily inept local government. Jewish immigration and Jewish purchases he led me to believe would be limited very much along the lines of the British "final proposals" to the London Conference.

WADSWORTH

RR:DDM

CORRECTION

April 19, 1939

In message dated April 18, 10. a.m., from  
Jerusalem, re British policy in Palestine, page 2,  
line 11 delete "Jewish" and insert "land".

DIVISION OF COMMUNICATIONS AND RECORDS

No. 87B

AMERICAN CONSULATE GENERAL,  
Jerusalem, Palestine, March 20, 1939.

Subject: Review of the Palestine Press for the Fortnight Ended  
March 12, 1939.

The Honorable

The Secretary of State,  
Washington.

Sir:

I have the honor to transmit herewith, with brief  
comment, certain news items which daily review of the  
Palestine press suggests may be of current interest to  
the Department though not of a nature to warrant sub-  
mission in separate despatch form.

Respectfully yours,

George Wadsworth  
American Consul General.

Enclosure:  
Press Review

File No. 691  
GW/oh

Distribution

Original and 4 copies to Department of State  
1 copy to the American Embassy, London  
1 copy to the American Legation, Baghdad  
1 copy to the American Consulate General, Beirut



REVIEW OF THE PALESTINE PRESS

For the Fortnight Ended March 12, 1939.

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NOTE: Economic Items are submitted in the Consulate General's "Fortnightly Economic Review."

## REVIEW OF THE PALESTINE PRESS

For the Fortnight Ended March 12, 1939.

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### I. GENERAL.

1) The London Conference, begun on February 7, dragged through its fourth and fifth week of largely fruitless discussion but continued to make leading front page headlines in the local daily press. Arab editorial comment was generally optimistic as to the possibility of agreement within the framework of the British confidential "suggestions" of February 24 as to reasonable bases for compromise settlement. Jewish press and public were correspondingly downcast but continued to strike the dominant note of "No Surrender." Press versions of the terms of the suggestions (see London Embassy's telegram of February 18, 5 p.m.) were remarkably accurate as to general substance. Local reaction to March 7 was reported in my despatch No. 866 of that date.

The concluding days of the fortnight brought from London news agency reports of "new" and concrete British "proposals" and of the British Government's decision that, should they not be accepted, it would announce and impose its own solution. That these proposals were considered unacceptable by both Arabs and Jews and that the Conference finally adjourned on March 17 without agreement being reached will be reported in my current fortnightly political despatch.

### II. AMERICAN MATTERS.

1) New Associated Press Staff Correspondent. Brief news items on February 28 announced the arrival from Hong Kong of Elmer W. Peterson, newly appointed Staff Correspondent of the Associated Press to succeed James A. Mills who had been covering Palestine since July of last year.

Comment

Comment: Mills has not been well for some time and is now enjoying a well-earned cure at Helouan following a brief trip to Jibuti. He plans to return to the United States next month and to call at the Department.

I like the way Peterson has taken on this complicated problem. "Assignment to the Holy Land," one of his first despatches ran, "is assignment to trouble, and the evidence is everywhere."

2) Ambassador Kennedy's Call on Lord Halifax. Both Arab and Jewish press carried on February 28 news agency cables reporting the visit paid by Ambassador Kennedy to the British Foreign Secretary "to enquire regarding the details for the solution of the Palestine problem" as well as his denial of the report, said to have been of Jewish source, that he had commented that reduction of immigration or modification of the Mandate would have "a disastrous effect upon public opinion in America." Fortunately, the cables added that "British sources state this is untrue... the interview was confidential...the Ambassador wished as usual only to be informed as to how the talks were proceeding."

Comment: I appreciated the Department's informative telegram to our Cairo Legation referring to the Secretary's comment on the subject at his press conference of the following day. In view of the simultaneous publication of the Ambassador's denial and of the last quoted cable, however, I had no occasion to make use of the Secretary's statement.

3) Palestine Jewish-American Protest. On March 1 extracts from a protest addressed to me by American Jewish settlers at San Yavneh and Ranaana were carried by the local Jewish press. This protest--one of many appearing almost daily in the local press--received no special mention and gave rise to no editorial comment in the Arabic press. Its major theme was that frequently struck in the past, i.e. that these citizens had "invested in Palestine...only because we had and still have unlimited confidence in our U.S.A. Government" which, they were certain, "will not permit Great Britain...to void its obligations towards the

Jewish

Jewish people and the United States."

"We came to Palestine," the protest concluded, "not in order to be a minority in an Arab state but to up-build a Jewish National Homeland in Palestine."

Comment: A meeting of other Jewish-Americans was later held in Tel Aviv and a telegram in very much the same sense despatched to the Department. With several of these latter citizens I have on occasion discussed our rights and obligations under our 1924 Palestine Mandate Convention; and I have given them copies of the Department's statement of October 14, last. They continue to believe, however, that their Government is committed to supporting the Zionist cause, "at least morally"; and the latter phrase is added, if at all, only grudgingly.

### III. ARAB ATTITUDE.

1) Arab Anti-Americanism, Continued. Since the wave of bitter anti-Americanism which swept Palestine Arab circles last October with disturbing repercussions in neighboring countries (see despatch No. 760 of November 1, 1938) I have reported--most often in comments to fortnightly press items--a number of indications that this feeling has at best meanwhile lain only dormant. That Arab leaders still feared American pro-Zionist influence must again have been brought forcibly to the Department's attention by its exchange of telegrams of February 8/13, last, with the Legation in Cairo.

A later instance of this latter aspect of the matter--i.e. the visit paid to Ambassador Kennedy by Egyptian delegate Ali Maher Pasha on March 9 during the course of the current London Conference--received considerable attention in the local Arab press, as did also press telegrams reporting the issuance on the same day of a statement by 17 American senators urging that "the Balfour Declaration and the Mandate shall be preserved and unchanged...to protect the rights and interests of the Jewish people in Palestine...(and those) of the American people as defined

in the treaty with Great Britain."

In this connection the leading local Arabic daily "Falastin" of March 11 published a translation of the operative clauses of that treaty under the heading: "What is America's Relation to Palestine?" The convention, it wrote, "concerns only American citizens and their interests and not the Jews of the world as they clamor. The Arabs do not recognize the mandate or its dependent posts...If this (the convention) is all they wave in our faces, then it is nothing."

Comment: I fear that with the failure of the London Conference we shall hear more along these lines. If so, I shall report by special despatch with a reference to this Press Review item.

2) An Ode to Mr. Chamberlain. Typical of current Arab feeling towards continuing British suppressive measures in this country is the following free translation of an ode which Vice Consul Blatchford found pinned to a tree in his garden one morning last week. It was signed "Mohammedan Youth." My Arabic interpreter describes it as "written in the best tradition of classical Arabic poetry and in substance similar to much that is written in the vernacular press."

If we have lost our Victorious Saladin, we still have our Mufti. And you, Messenger of Peace, why should peace lie dying in one place and in another flourish?

Enough of your peace which your statesmen preach but which they do not practice. The Reich got peace because it merited it.

When will peace reign over Jerusalem? Do you not pity its people, or do you have no eye or ear?

Are the children of the Thames forgiven for slaying innocent women? Would the English sanction all the brutal repressions in Palestine?

Tyranny reigns, but Justice is keeping open an eye. You have committed things that cannot be accepted by any thing or body on earth.

Have

Have you no knowledge of the Arabs? Ask history and it will tell you they will not submit.

You might have deceived us once. That was a lesson to us.

We have seen enough of your rashness. You had better be assured that we will rebel against you till Right and Victory are ours.

#### IV. JEWISH AFFAIRS.

1) "Controlled Emigration." Under this heading the Jewish-Agency-controlled "Palestine Post" of March 2 commented at some length on news agency reports of the progress of current negotiations between Mr. Robert Pell, acting for the Evian Committee, and the German Government for the orderly emigration of German Jews. The following extracts reflect effectively Palestine Jewish reaction:

While the Nazi authorities have on the one hand striven to force rapid emigration, they have also adopted measures making exodus in large numbers all but impossible...

Foreign readiness to create openings for refugees has so far lagged considerably behind the need...nor have the Governments concerned shown any appreciation of the fact that large-scale emigration cannot be financed out of private means...

Anschluss has brought the total number of professing Jews in Germany to over half a million, to which figure must be added a large number of other "Non-Aryans"...There is at least one country which can and wants to accommodate a considerable number...to whom all other doors--except those of the concentration camp--are closed.

2) Revisionist Views. The admitted responsibility of the local Revisionist "National Military Organization" for the serious bomb and other terrorist outrages of February 27 (reported in despatch No. 866 of March 7) and the suspension on the following day of the two local Revisionist press organs, "Hamashkit" and "Mayarden", lends interest to an unauthorized mimeographed news sheet, the "Sentinel", issued by this organization on March 10.

The

The failure of the London Conference, it key-notes," is eminently clear to any serious observer...it has been well described as nothing but an organized waste of time...The National Jewish Youth will not allow itself to be trodden under foot; Palestine is not Czechoslovakia, nor will the London Conference be our Munich." On another page it argues that "only a strong Jewish Palestine can ensure that peace and order that are necessary for Britain in the Eastern Mediterranean."

Pointed reference is made, too, to "mystery broadcasts" in Hebrew which local listeners have heard daily during the fortnight but which, and according to other press references as well, police authorities have been unable to locate.

Comment: It is generally believed that Revisionists are responsible for these broadcasts. One, I am told, began: "Jews of Palestine, the time has come for action, to fight till Palestine is wholly ours, to arm against the Arab enemy."

3) Zionist Congress in U. S. Proposed. With the growing conviction in local Jewish circles that the London Conference would end in British "betrayal" of Zionism through either Anglo-Arab agreement or the imposition of a pro-Arab policy, the local Jewish press has made frequent reference to the importance of the next bi-annual World Zionist Congress which should normally be held this coming summer. "Haaretz", conservative General Zionist daily, of February 22 urged in this connection that the Congress be called to meet at an earlier date in the United States. "We must", it key-noted, "decide on plans for pursuing our future struggle for existence... Jews wherever they may be must unite to oppose all efforts to block realization of the National Home ideal."

Comment: I should be interested to learn whether the Department has heard from American Zionists that they would support a formal proposal to hold the next Congress in the

United States

United States. From the Zionist viewpoint the suggestion obviously possesses considerable merit, except for the added time and cost of travel to European and Palestinian delegates. But, envisaging the almost certain repercussions which would follow in Arab countries, the idea is clearly one to be discouraged by any who would avoid throwing fresh fuel on the smoldering fire of Arab anti-Americanism.

V. MISCELLANEOUS.

1) New Syrian Orthodox Bishop. The Very Reverend Yacoub Salaby, for some 20 years Patriarchal Vicar of the Syrian Orthodox (Jacobite) Community in Jerusalem, was on March 5 consecrated Bishop of Jerusalem, second highest office in this interesting monophysitic church. He will take up residence in the Jacobite Convent of St. Mark built around the apostle's traditional house in Jerusalem. The consecration was performed at Homs by His Holiness the Patriarch of Antioch and All the East.

Comment: Among the interesting facets of service at this post are the friendships made with the heads of the so-called Eastern churches. The new bishop's new calling cards bear a new name, Mar Philoxenos.

2) Plans for Egypt-Palestine Highway. A Reuters telegram of March 6 from Cairo reports Egyptian Cabinet approval of "a credit of L.S. 100,000 (\$200,000) for the construction of a military and commercial road between Egypt and Palestine...asphalted along the entire Egyptian stretch...from Suez across Sinai to the Palestine frontier."

Comment: In Palestine the road is well built and largely asphalted as far as Beer Sheva. From there to the Egyptian frontier and on across Sinai it is only a desert track frequently impassable after rains during the winter season. From British officials here I gather that the main objective of the work is to afford all-weather rapid military transport facilities. Work on the Palestine desert stretch, they believe, will be begun next summer if, as seems probable, a special grant-in-aid is obtained from London.

Incidentally, work on the Trans-Jordan sector of the projected Haifa-Baghdad road is reported by travelers recently returned from Mafraq to be progressing rapidly

under



under the supervision of British military engineers. This sector, some 800 miles in length, is to be built at a total estimated cost of £200,000 (for which a special grant-in-aid has been made to the Trans-Jordan Government). My informants add that almost 2,000 workmen are now employed on the project which, at the present rate of construction, should be completed before the end of 1940.

Various plans for work on the Iraqi sector of this road, I gather, have been made only to be abandoned for one or another reason. To the British Commercial Agent the Engineer-in-charge of the Trans-Jordan work said last week: "I suppose we shall in the end have to take on the whole job, and pay for it."

CJ

GRAY

Jerusalem

Dated April 15, 1939

Received 10:18 a.m.

Secretary of State,

Washington.

April 15, noon.

My telegram April 7, 3 p.m.

By an order made under the right of prescription granted him in section 5 (A) of the Immigration Ordinance as amended April 6, the High Commissioner on April 11 promulgated for the current month an immigration schedule which provides for the issuance of immigration certificates in approximately the same number as during the last semester.

A supplementary notice by the Department of Migration fixes at 780 the number of certificates to be issued to Jewish immigrants in the restricted categories (among which students are now included). Only the category of wives and minor children remains unrestricted and the number of certificates to be issued therein during the month is expected to bring the total Jewish to 1000.

An explanatory notice published in the Official

Gazette

-2- April 15, noon, from Jerusalem

Gazette of April 12 concludes "it is further notified that His Majesty's Government will take into account the immigration permitted on immigration of (\*) granted during April in their consideration of future policy for immigration in the light of the recent London conferences".

WADSWORTH

SSB

\*Omission

CJ

This telegram must be closely paraphrased before being communicated to anyone. (br)

Cairo

Dated April 15, 1939

Received 3:35 p.m.

Secretary of State,

Washington.

37, April 15, 3 p.m.

Referring to my telegram No. 35, the Arab delegates except those from Palestine have submitted counter-proposals to the British suggestions principally with regard to the transition period brought here by the Egyptian Ambassador at London. The Arab delegates expect Great Britain will either speedily agree or publish Great Britain's own plan without further discussions with the Jews. It is reported here that while Malcolm MacDonald is anxious to satisfy at once the Arabs in view of the international situation the British Foreign Office does not (\*) to ignore altogether the Jews primarily because of the latter's influence in the United States. If the British accept the counterproposals the Arab delegates hope to quickly win over the Grand Mufti of Palestine.

FISH

NPL

(\*) apparent omission.

April 13, 1939

Dear Bob:

I am enclosing this memorandum on new Palestine immigration quotas for April as I think you will find it of interest.

Sincerely yours,

Theodore C. Achilles

Enclosure:

As stated.

Robert Pell, Esquire,  
Intergovernmental Committee,  
1, Central Buildings,  
Westminster, London, S. W. 1,  
England.

Bu:SM:EMC

April 13, 1939.

A-M - Mr. Messersmith

S - Mr. Secretary

NEW PALESTINE IMMIGRATION QUOTAS FOR APRIL

According to an announcement of the Jewish Telegraphic Agency, the Palestine Government fixed on April 11th a quota of 920 immigrants for April, including 790 Jews. The number is exclusive of wives and minor children of new immigrants and of immigrants who have already entered Palestine legally who presumably will continue to be admitted without numerical limitation.

The new quota provides for the admittance of 50 more Jews than under the previous quota which was 4,670 for a period of six months, including 4,440 Jewish immigrants, or 740 Jewish immigrants monthly.

The new one-month quota is described as "apparently a stop-gap schedule" introduced pending the announcement by the British Government of its definite policy with respect to Palestine. This policy, as we have been informed by the British Embassy in Washington, is expected to be announced at the end of this month and it is anticipated that it will provide for an annual immigration into Palestine of 10,000 Jews during the next five years, plus 25,000 refugees who  
may

may be admitted at any time during that period. The Jewish immigration quota fixed for April would work out at 9,480 annually.

The quota for April, according to categories is reported to be as follows:

<u>Category</u>	<u>Total Quota</u>	<u>Jewish quota</u>
Capitalists with L.P.1,000 (\$5,000)	110	100
Persons with fixed income of L.P.4 (\$20) monthly	10	10
Religious functionaries	30	10
Students	220	200
Laborers	110	110
Dependents, other than wives and children	<u>440</u>	<u>360</u>
Total	920	790

No quotas appear to have been established for agriculturists or orphans, while students, who were previously admitted outside the quota, are now subject to quota restrictions. As compared with the distribution of the quota for the previous six months period, the principal other changes to be noted are a reduction in the number of capitalists and laborers and an increase in the number of dependents admitted under the quota.

Wallace Murray

WE J.R.Childs/EC

April 13, 1939.

A-M - Mr. Messersmith

S - Mr. Secretary

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The



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Wallace Murray

NE J.R.Childs/EG

DEPARTMENT OF STATE

*Memorandum of Conversation*

DATE: April 13, 1939

SUBJECT: The refugee problem and Palestine

PARTICIPANTS: Mr. Robert Briscoe, Member of Parliament, Ireland  
(from New York)

Mr. Achilles

COPIES TO: PA/D, NE

1-1493

Mr. Briscoe telephoned that he was preparing a petition for signature by a large number of American citizens advocating (1) that the American Government "indicate" to the British Government its belief that the rights of the Jews under the mandate should not be limited, and (2) that the terms of reference of the Intergovernmental Committee be extended to cover refugees from all of Eastern Europe and the study of all possible solutions, including Palestine. He inquired repeatedly whether the Department would "receive" such a petition and whether the Department would wish to see it before it was presented.

I told him that I would consult other persons concerned but that in my personal view a question of the Department "receiving"

"receiving" such a petition would not arise in as much as any American citizen was at liberty at any time to present or mail a petition to any authority of the Government, that whether anything would be done about the petition was of course a different matter, that we certainly did not wish to encourage the presentation of petitions and that in all probability we would have no interest in seeing the text of such a petition before it was presented.

In view of Mr. Briscoe's status as an alien, I am not certain whether the law requiring registration of American representatives of foreign principals in propaganda activities would have any connection with this matter.

Eu: Achilles: FMC

No. 622

To the American Ambassador,

London.

The Secretary of State quotes, for the information of the Vice Director of the Intergovernmental Committee on Political Refugees, an excerpt from despatch no. 885, reviewing the Palestine press for the fortnight ending February 26, 1939, from the American Consulate General at Jerusalem, Palestine, under date of March 7, 1939:

**"IV. JEWISH AFFAIRS.**

"1) Suspension of 'Haaretz.' On February 18 this, the leading Hebrew, daily (organ of the conservative General Zionist party) was suspended for one week by official order. The reason (never officially stated) was obviously to be found in its leading editorial of the day. The following extracts are from a summary prepared by the Press Bureau of the Jewish Agency:

"You (British) with your policy of vacillation, vagueness and half-measures, with the sabotage and insincerity of your Administration, have nourished the movement of hatred of the Mandate and the Jewish National Home and have strengthened the hand of the intriguants and terrorists...

"For years you deliberately exalted the Arab 'Leaders'... You knew that, with the Mufti of Jerusalem at their head, they were responsible for the outrages, yet you encouraged and protected them... You ask how to restore peace, and we answer: 'When violence is no longer rewarded.'"

"Comment: The tone of this article reproduces very fairly the increasing bitterness felt in all local Jewish circles. 'One thing you can be sure of,' a leading American Zionist said to me, 'is that if the British let us down, we are d--- well not going to take it lying down.' My Hebrew interpreter, of old pre-War Jewish stock and essentially conservative in his Zionism, confirms this stand. 'In my opinion and in that of many thousands of others,' he wrote when sending me the 'Haaretz' editorial, 'what

is now said about the British is only too true.' Personally, I see it rather, as a colleague put it last week, 'an inescapable tragedy of irreconcilable aspirations.'

"2) Immigration 1938. The 'Palestine Post' of February 26 publishes preliminary immigration figures for the last year, a total of 15,283 of whom 12,882 were Jews. Just over half of these Jews came from Germany and Austria, their numbers being respectively 4,223 and 2,510. From Poland came approximately half of the remainder, i. e. 3,289. Of the total 1,753 were 'capitalists', i. e. with at least LP 1,000. The Jewish total represents an increase of 22 per cent over that of 1937 when 10,538 were registered as having entered the country.

"I have already reported current estimates that some 5,000 Jews entered the country illegally in 1937. This was confirmed last week in a conversation with a member of the Jewish Agency Executive. Some 3,000, he estimated, had so entered since last November; and the movement, he readily admitted, is continuing.

"Comment: Let me take this opportunity to make [a] brief preliminary reply to the Division's informal comment on my despatch No. 805 of December 14:

"The principal reason prompting most writers to omit nomads from discussions of population trends in this country is that their habitat is almost exclusively the southern, desert 'Beersheba' region (almost half the country's total area) which is otherwise uninhabited.

"The Division is, of course, quite correct in saying that some 35,000 Jewish immigrants can be admitted in 1939 if it be desired that at the end of the year the Jewish inhabitants of the country constitute 30 per cent of its total population (with 87,000 nomads and 12,000 'others' included).

"My figures, however, deal with what I believe most writers on the subject would call the political realities of the situation, being designed to show approximately the number of Jews who might immigrate without disturbing the existing 30-70 ratio between the two protagonist peoples in the northern, settled half of the country.

"If the whole country with its total population be considered, the ratio becomes roughly 28-72; and solution of my formula gives a final figure even lower than that reached in my despatch.

"In

"In my above-mentioned conversation with a member of the Jewish Agency Executive, he put the final figure (on the basis of what I took to be more accurate computation than I had used, i. e. carrying each figure to two or three decimals) at a lower total than my calculations showed."

Ku:SN:EMO  
3-31-39



Pm

EG

GRAY

London

Dated March 18, 1939

Rec'd 7:25 a.m.

Secretary of State,  
Washington.

355, March 18, 11 a.m.

The Palestine Conference ended yesterday when both the Jewish and Palestine Arab delegations rejected the British proposals of March 15 as a basis for agreement.

The British Government's announcement of the policy which it will pursue in Palestine is to be made within a few days.

KENNEDY

RR

JR

GRAY

London

Dated March 15, 1939

Rec'd 2:45 p.m.

Secretary of State,  
Washington.

335, March 15, 6 p.m.

Foreign Office informs Embassy that it has telegraphed to the British Embassy in Washington, for transmission to you, together with explanatory comment, a memorandum giving the substance of the final proposals for an agreed settlement of the Palestine problem which are to be communicated orally to the Arab and Jewish Delegations today.

Baxter of the Foreign Office, who has also provided us with a copy, indicated that if these proposals should be accepted as a basis for agreement they might in the course of discussion been modified to some extent. He gave the impression, however, that he was not sanguine regarding the reception that the proposals would receive from either Delegation.

JOHNSON

KLP:DDM



AMERICAN CONSULATE

Danzig, Free City of Danzig,  
February 11, 1939.

CONFIDENTIAL

Subject: Proposed Mass Emigration of  
Danzig Jews to Palestine.

The Honorable

The Secretary of State

Washington.

Sir:

I have the honor to report, with reference to despatch no. 115 of February 1, 1939, that the departure of 500 Danzig Jews for Palestine, arranged for February 7th, has been postponed indefinitely. These Jews, as already reported, were to proceed to Germany and then to continue to Trieste.

Despite his previous denial of any personal knowledge of plans for the mass emigration of Danzig Jews to Palestine, Dr. Viktor Böttcher, Chief of the Foreign Division of the Senate, advised British Consul General Shepherd on February 8rd that the scheme had proceeded so far that any changes in the plans were no longer possible. This decision had been reached, so he said, during a conference with Senate President Greiser. On February 4th, Dr. Herbert Blume, Chief Government Counselor of the Foreign Division, stated categorically that the Jews them-

selves

selves had initiated plans for their departure without compulsion on the part of the Police and that they even had held a meeting on December 17th last<sup>1</sup> to make arrangements for their emigration. This meeting, it was stated, had been held without the knowledge of the Police, and the authorities had been pleased at this spontaneous demonstration on the part of the Jewish population to indicate their desire to leave Danzig.<sup>2</sup> From then onwards, the Senate and the Police President (Helmut Probesen) have been extending every assistance to Danzig Jews in their efforts to leave, and Dr. Blum added that it is a matter of no concern to the local authorities the particular country which the Jews may select as their destination.

A meeting was held in the Jewish Gymnastic Hall in the Schiehan Gasse on February 6th for those persons who are to leave for Palestine. Such persons were told that their departure has been postponed - at that time it was thought for one week only - and that every effort is being put forth to avoid any further postponements. It was indicated that the Danzig Police are bringing pressure to bear upon the Jewish Community to effect the emigration of this group and that a warning had been received of renewed persecution if present plans are not carried out. No mention was made of the reason for the postponement of the departure, although various rumors are

current

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<sup>1</sup> See despatch no. 88 of December 27, 1938.

<sup>2</sup> This statement is contrary to facts, for Dr. Mischa Hertsberg, Acting Assistant Surgeon, United States Public Health Service, who attended the meeting, said that six representatives of the Political Police sat directly in front of him. See also despatch no. 88 of December 17, 1938. A purely religious ceremony was held in the synagogue on February 3rd for the Jews about to leave Danzig. During the meeting no mention was made of Palestine as the destination of these emigrants.

current as to the cause of the delay.

It is the general belief that the Italian Government has raised objections to any scheme which would involve a stop-over in Italy, and is insisting that the emigrants embark at once. The failure to have a boat at Trieste at the time of the proposed arrival at that port, is considered to be the reason for Italian dissatisfaction. The failure to complete all plans is understood to be due to the inefficient management of a certain Hermann Segal, who - it is feared - may have been deceiving the local Jewish Community.<sup>1</sup>

No changes have been made in the original directions given to the intending emigrants. These persons will be taken, providing the scheme is carried through, in trucks to Marienburg where they will be put on "visa free" trains across the "corridor". In every instance the intending emigrants, who are to be between the ages of twelve and forty-five years, have been told to provide themselves with high boots and to carry their belongings in knapsacks. Each person is to take the equivalent of only ten Reich's Marks, and other money - as well as heavy baggage - will be sent separately to Tel Aviv.

This group of Jews will be known as Transport "A" and, it is understood, will be in charge of a certain Heinz Kammer. Shortly after the departure of this group

it

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<sup>1</sup> Dr. Hertzberg, in a conversation on February 11th, referred to Segal as an international crook. Segal has very good connections in Berlin, for which reason it may well be that he is acting as a spy. Dr. Hertzberg fears that Segal actually may have attempted to organize this mass emigration of Danzig Jews for personal profit. He added that Segal is obsessed with the idea of "Mussolini-ism" and from my British colleague I have learned that Segal is supposed to have been connected with attempts to stir up anti-British sentiment in Palestine.

it is expected that a second group, to be known as Transport "B", likewise will leave Danzig for Palestine. This second group also will consist of 500 persons, whose departure naturally will depend upon the outcome of efforts being made for the emigration of the first group.

Respectfully yours,

G. Porter Kuykendall  
American Consul

Original and four copies sent to the Department.  
One copy sent to American Embassy, Warsaw.  
One copy sent to American Embassy, Berlin.  
One copy sent to American Embassy, London.  
One copy sent to American Embassy, Paris.  
One copy sent to American Consulate, Geneva.

File no. 700.

OPK/ss.

9/9

JR

GRAY

Danzig

Dated March 3, 1939

Rec'd 9:30 a.m.

Secretary of State,  
Washington.

March 3, 1 p.m.

With reference to my despatch 121 of February 11th, I have the honor to report that group of Danzig Jews somewhat less than 500 in number left this morning in buses and trucks for Marienburg and that port of embarkation will be Constantza, Rumania. Local situation quiet following recent student clashes and the technical high school now closed for usual term holidays.

KUYKENDALL

RGC:EDA

REB

TELEGRAM SENT

This telegram must be  
closely paraphrased be-  
fore being communicated  
to anyone. (br)

February 28, 1939

6 p. m.

AMLEGATION

CAIRO (EGYPT)

13

If questions should be asked you regarding a statement on the Palestine question alleged to have been made to the British Foreign Secretary on February 27 by the American Ambassador at London, you may make full use of the denial contained in Radio Bulletin 48 of February 28.

Please repeat to Jerusalem, Beirut and Baghdad, quoting text of statement in Radio Bulletin.

HULL

NE PHA/LS

REB

GRAY

London

Dated February 28, 1939

Rec'd 6:52 p. m.

Secretary of State,  
Washington.

279, February 28, 5 p. m.

My 276, February 27, 8 p. m.

CONFIDENTIAL.

I saw Dr. Stephen B. Wise this morning and at my request he gave me the following general summary of the British Government's suggestion made on February 25:

"(One) The British Government would declare that they wished to see in due course an independent Palestine state under which the people of Palestine would enjoy the rights which other people enjoyed of self-government. They would declare that it was their intention that the mandate should come to an end, that an independent Palestine state should be created in treaty relations with Great Britain.

(Two) An independent state could not be created immediately, and provision would have to be made for a transition period. Many questions would arise in connection with the constitution of the independent state, such as adequate safeguards for British interests, for the interests of the

various

REB

2-#279, From London, Feb.28,5p.m.

various communities, and for the special position of Palestine as a homeland sacred to three great religions. These details could not be worked out in the present conference. They would require much preparation, and a body containing not only representative political people, but experts such as constitutional lawyers. This is the way that the Egyptian constitution, for example, was worded, and the Indian constitution. A round-table conference, composed of British, Arab and Jewish representatives should be summoned in London, possibly in the autumn, to work on the problem of a suitable constitution for Palestine, both during and after the period of transition, and also on the problem of the treaty with Great Britain. The Arab and Jewish representatives would not be elected, but would be nominated and invited to attend the conference by His Majesty the King, as in the case of the Indian round-table conference. On the British side, representatives not only of the Government, but of the opposition parties would be included, so that the whole matter was raised above party politics. The High Commissioner would nominate the Arab and Jewish representatives, after communicating with various bodies in Palestine, and after considering possible requests



REB

3-#279, From London, Feb.28,5p.m.

requests from the Arabs or Jews of Palestine for the addition to their delegations of experts from outside Palestine.

The terms of reference of the round-table conference might be either quite general, e.g., to work out a constitution for Palestine and the terms of a treaty, or more closely defined in the direction of requiring the conference to propose constitutional arrangements as would maintain the special character of the country and safeguards for the various interests involved. This would be a matter for further consideration.

(Three) Pending the inauguration of the round-table conference and the presentation of its report, as an earnest determination of the intention of the British Government to give the people of Palestine a part in their Government, representatives of both the Arab and Jewish communities of Palestine would be added to the existing Executive and Advisory Councils, both of which at present consisted of officials. As regards the Advisory Council, which the High Commissioner is required to consult with reference to draft legislation, it would be a matter for consideration whether the unofficial members should have a majority over the officials. The Arab and Jewish  
representatives

REB

4-#279, From London, Feb.28,5p.m.

representatives would be nominated, not elected, and the title of the Advisory Council might be changed to 'Council of State'. The Executive Council, which now consists of four officials, might be enlarged by the addition of certain officials, and a number of nominated Palestinian, Arab and Jewish representatives selected from the nominated unofficial members of the Advisory Council. The title of the Executive Council might be changed to 'Council of Ministers'. The existing official members would remain in charge of departments, and the Arab and Jewish representatives would hold the position of 'ministers without portfolio', receiving the status and salaries of ministers.

These arrangements would be temporary, pending the report of the round-table conference, which would be free to make proposals and reach agreements over the whole field."

He also gave me the following statement dated February 27 made by the Jewish delegation in comment on the British Government's suggestions:

"The Jewish delegation, having carefully considered the suggestions put forward by His Majesty's Government on Friday February 24 and now communicated to them in writing,

regret

REB

5-#279, From London, Feb.28,5p.m.

regret their inability to find in these suggestions a basis for further discussions.

These suggestions ignore the principles on which the Jewish people have for twenty years cooperated with the mandatory power in Palestine. They pass over in expressive silence the Balfour declaration and the mandate. They ignore the historical connection of the Jewish people with Palestine and its internationally established right to reconstitute its national home in that country. They fail to envisage any further development of the national home and indeed, they do not mention the national home at all. They ignore the internationally recognized principle that 'Jewish immigration should be authorized to the extent allowed by the country's capacity of economic absorption'. No safeguards or provisions for the continuance of Jewish immigration are indicated. The Jewish agency, the body specifically recognized in the mandate as representing the Jewish people in all matters relating to the national home, finds no mention. An independent state is to be created, but no guarantee is offered against the Jews being reduced to a permanent minority in Palestine. Even the principle of non-domination of either people by the other is omitted.

REB

6-#279, From London, Feb.28,5p.m.

omitted. Discriminatory and restrictive land legislation against Jews is already contemplated by His Majesty's Government establishing the principle of inequality of rights before the law in the suggested Palestine state.

The suggestions thus constitute a repudiation by His Majesty's Government of the solemn pledges given to the Jewish people in the Balfour declaration, reaffirmed by successive British Governments, and endorsed in the mandate by the League of Nations and the United States of America. This course is suggested at a time when the Jews are suffering unprecedented persecution and hundreds of thousands look to Palestine as their only hope and refuge.

Throughout the conference the Jewish delegates have shown themselves desirous of reaching an agreed settlement but no settlement can be considered which would place the Jewish national home under the Arab rule, or condemn the Jews to a minority life in Palestine.

On behalf of the whole Jewish people, the Jewish delegation declare that they cannot accept the suggestions by His Majesty's Government now before them, and that Jews could not cooperate in carrying them into effect."

THESE

REB

7-#279, From London, Feb.28,5p.m.

These statements have not (repeat not) been officially made public although details have in some degree leaked out. The Foreign Office, which has likewise given us a copy in confidence of the British statement, indicated that its confidential character should be safeguarded.

KENNEDY

NPL

EMB

EDA

This telegram must be closely paraphrased before being communicated to anyone (C)

LONDON

Dated February 27, 1939

Received 8:11 p.m.

Secretary of State

Washington

276, February 27, 8 p.m.

STRICTLY CONFIDENTIAL FOR THE SECRETARY OF STATE.

Halifax invited me to the Foreign Office this morning.

He talked to me about some observations they had from Germany to the effect that it was very important that England make whatever concessions were necessary to make the talks between the industrialists of both countries successful.

He then talked about the Jewish question. He said they had not arrived yet at a definite plan but it looked as though it meant doing away with the present mandate, having a Palestinian state with the Jews a minority, with immigration allocated for the next five years to between 100,000 and 150,000 with 10,000 children additional every two years. He was a little hazy on the figures, but said this approximated it; that a round table conference be called in the fall with the Palestinian Jews and Palestinian Arabs and the British to try to work out the formulas for the new state and take up the question of immigration again at the end of five years.

HE

EDA - 2 - #276, February 27, 8 p.m. from London

He just wanted to give me a bare outline and as you can see this is because they are still talking it over. They are really sparring for time and, I should judge, giving the Arabs the better of it.

The press association tonight carries a statement to the effect that I advised Halifax that American public opinion would be outraged at something or other -- I do not know what. Of course I have not given out any statement at all to any press except to deny the above.

I have asked Dr. Wise to come in tomorrow to see if I can get any definite reactions or thoughts and will send them to you. Is there any angle on this that you want covered or have you any suggestions for me to make to Halifax?

KENNEDY

RR

CA

Gray

LONDON

Dated February 7, 1939

Rec'd 3-55 p.m.

Secretary of State

Washington

131, February 7, 7 p.m.

The Palestine discussions opened today with separate meetings between the British and Arab representatives on the one hand and between British and Jewish representatives on the other.

Mr. Chamberlain in his speeches of welcome said that it was the task of statesmanship when faced by what might appear to be a deadlock between two peoples to achieve a compromise on the basis of justice and appealed for concentration on the realities of the present situation giving due weight to all essential facts and endeavoring to appreciate each other's point of view.

The problem of a united Palestine Arab delegation is still unsolved and the Defence Party representatives were not present at the opening meeting. The British Government has issued a statement that its efforts to achieve a united delegation are continuing, that it is glad to have opportunity to enter into consultation with Palestine Arab  
leaders



ca            --2--181 from London..

leaders selected from parties other than the Defence Party; and that in view of its anxiety to exclude no important section of opinion, it will also be glad, if agreement on the composition of single Palestine delegation proves imp-ossible, to hold separate consultations with the Defence Party delegation.

JOHNSON

NPL

JR

This telegram must be closely paraphrased before being communicated to anyone. (br)

Cairo

Dated February 3, 1939

Rec'd 11:10 a.m.

Secretary of State,

Washington.

11, February 3, noon.

I have obtained indications from a usually reliable source that it will be the purpose of Aly Maher Pasha at the London Conference on Palestine to facilitate the formulation of a policy which will be viewed favorably by the British Government by working to bring the Arab demands into harmony with practical possibilities. This line of action on the part of Pasha of course presupposes that the main object of British policy is to satisfy the basic and reasonable objectives of the Arabs respecting Palestine.

FISH

KLP

AC

GRAY

Warsaw

Dated February 3, 1939

Rec'd 1:33 p.m.

Secretary of State

Washington

12, February 3, 5 p.m.

Zionists are arranging public meetings in all large towns of Poland for February 5th following which a petition signed by eight hundred organized Jewish communities urging that Jewish immigration and colonization in Palestine should not be curtailed, will be submitted to the British Government.

WINSFIP

WWC:DDM

January 31 1939

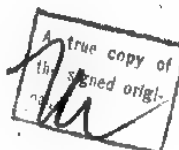
To the Director,  
Intergovernmental Committee on  
Political Refugees,  
Care of American Embassy,  
London.

The Secretary of State encloses, for the information  
of the Director of the Intergovernmental Committee, copies  
of memoranda of conversations between Mr. Robert Briscoe,  
Member of Parliament, Ireland, with various officials of  
the Department.

**Enclosures:**

1. Memorandum of Conversation,  
January 21, 1939.
2. Memorandum of Conversation,  
January 24, 1939.
3. Memorandum of Conversation,  
January 27, 1939

Eu:TCa:EMC  
1-28-39



PJC

DEPARTMENT OF STATE

*Memorandum of Conversation*

DATE: January 27, 1939

SUBJECT: Palestine

PARTICIPANTS: Mr. Robert Briscoe, Member of Parliament, Ireland  
Mr. Dunn  
Mr. Achilles

COPIES TO: NE

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OFF 1-1493

Mr. Briscoe expressed substantially the same views he had previously expressed to Mr. Murray and Mr. Achilles. He expressed the hope that this Government would either express approval in principle of Palestine's being used to provide an integral solution of the Jewish problem provided that agreement could be reached between the Jews and Arabs or call a further intergovernmental conference to discuss the whole European Jewish problem, with particular reference to Palestine, and to which the Eastern European governments would be invited.

He expressed the opinion that, in view of the Joint Resolution of September 21, 1922 favoring the establishment of a Jewish national home in Palestine, this Government had

a certain moral obligation to see that the Balfour Declaration and the terms of the Palestine Mandate were carried out. Mr. Dunn emphasized that the Joint Resolution was merely an expression of sympathetic interest and that we did not consider that there was any moral obligation on this Government to take up with the British Government questions rising from the carrying out of the Mandate.

Mr. Briscoe was advised that this Government felt a strong interest in the whole Jewish problem and that it desires to see an integral solution reached but that, in view of the existing conditions in Palestine, he could be given no encouragement concerning either of his suggestions. The belief was expressed to him that the basic problem in Palestine for the present at least appeared to be the bitterness between the Arabs and the Jews and that an agreement between the two groups appeared essential as a first requisite to further development of the Jewish homeland in Palestine.

DEPARTMENT OF STATE

*Memorandum of Conversation*

DATE: January 21, 1939

SUBJECT: Palestine

PARTICIPANTS: Mr. Robert Briscoe, Member of Parliament, Ireland  
Mr. Achilles

COPIES TO: NE, A-M, U, S

1-1493

Mr. Briscoe represents the New Zionist Organization and has come to this country in an attempt to persuade this Government to bring to bear "moderate" pressure on the British Government to throw open Palestine and Trans-Jordania to unlimited Jewish immigration as the only solution of the European Jewish problem. The Legation is understood to have taken up the matter of an interview for him with the President, and he desires while here to see the Secretary, Mr. Welles, and Mr. Messersmith.

Mr. Briscoe's statements to me were along the following line:

There are three types of Jews, the first being the  
strictly

strictly orthodox Jews who consider Zion to be their homeland and who do not consider themselves nationals of any country; the second is a group who, while recognizing national allegiance, still consider themselves Jews first and nationals of various states secondarily; and, third, the group which consider themselves wholeheartedly citizens of the government to which they owe allegiance and Jews only in religious belief. He estimated that the Jews of Europe were about evenly divided between the three groups although admitting that the first two groups combined were in a small minority in this country.

He advocated the settlement of between two and three million Jews, primarily of the first group, in Palestine within the next few years. He believes that the country is capable of supporting that number, that the Jews and the Arabs could live peacefully together without British control or interference, and that such settlement could be financed by Jewish sources. He does not consider that either infiltration or mass settlement other than in Palestine can afford a solution of the Jewish question.

EndAchilles:EMC



JR

GRAY

Cairo

Dated January 24, 1939

Rec'd 12:11 p.m., 23rd.

Secretary of State,  
Washington.

5, January 24, noon.

It was indicated on January 21 that the representatives of the Mufti had succeeded in imposing most of their program on the Arab Conference here particularly the point that they alone should represent the Palestine Arabs. Later that day the British stated that all parties must be represented including the moderate Nashashibi. A deadlock thereupon ensued. The National Assembly of Iraq, the Foreign Under Secretary of Saudi Arabia and Jamal Husseini flew to Syria yesterday in an attempt to persuade the Mufti to agree to the participation of the Arab moderates at London.

Ragheb Bey **Nashashibi** who is now here has issued a statement that his party must have a number of delegates equal to the Mufti's because the former represents at least fifty per cent of the Palestine Arabs and seventy-five per cent of Arab economic interests.

Egyptian

-2- #5, January 24, noon, from Cairo.

Egyptian delegation at London will comprise Prince Abdil Moneim, Aly Maher Pasha and the Egyptian Ambassador at London.

MERRIAM

RR

JR

GRAY

Cairo

Dated January 18, 1939

Rec'd 8:30 a.m.

Secretary of State,  
Washington.

4, January 18, 11 a.m.

The first Arab meeting preliminary to the London Conference was held here yesterday. It included representatives from Egypt, Palestine, Transjordan, Iraq, Saudi Arabia and the Yemen. The Egyptian Prime Minister presided. The viewpoints of the various delegations were expressed but not made public. The delegates from the Palestine following their recent contact with the Mufti are understood to have asked support for the following demands: (one) Complete and immediate stoppage of Jewish immigration. (two) A statement from the British that the Balfour declaration has been fulfilled. (three) Establishment of an Arab National Government and the conclusion of a treaty between it and the British Government similar to the treaty between Great Britain and Iraq.

It is believed that the Palestinian delegates also insist upon speaking for the Arabs of Palestine to the exclusion of any other and specifically the Nashashibi group.

MERRIAM

RR:WWC

EDA

GRAY

GENEVA

Dated January 17, 1939

Received 7:40 p.m.

Secretary of State

Washington

9, January 17, 11 p.m.

The British representative made a statement on Palestine before the Council this evening. He said that after examination of the last Royal Commission's report the British Government had decided that the partition scheme was impractical. He announced that discussions in London with the Jewish and Arab representatives would begin during the present month and that he expected the discussions to result in an agreement. If however an agreement was not rapidly reached the British Government would itself take a decision on the policy to be adopted. He considered it would be useful for the Council to have without delay the advice of the Permanent Mandates Commission on any proposals the British Government might be ready to make on the termination of the conference and consequently requested authorization for an extraordinary session of the Mandates Commission before the May session of the

EDA - 2 - #9, January 17, 11 p.m. from Geneva

of the Council in order to examine those proposals.  
The Council agreed.

English text by mail to London, Paris and  
Berlin.

BUCKNELL

RR

JAC

June 7, 1938.

JEWISH IMMIGRATION INTO PALESTINE UNDER THE MANDATE

Jewish immigration into Palestine forms the subject of Article 6 of the Palestine Mandate. That article reads as follows:

"The administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in cooperation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including state lands and waste lands not required for public purposes."

In the Churchill memorandum published in 1922, the year before the entrance into force of the Palestine Mandate, there was laid down the principle of economic absorptive capacity as a criterion for the regulation of immigration into Palestine. This criterion was observed from that date until the publication of the Palestine Royal Commission's Report in 1937.

From a low of 8,128 in 1922 and 7,991 in 1923, total immigration, of which the overwhelmingly preponderant proportion were Jews, rose to a first peak of 34,641 in 1925. There ensued a period of economic depression in Palestine and a decline in immigration from the peak of 1924-26 until 1932. Contributing, no doubt, also to the decline in immigration during

during these years were the disturbances of 1928 and 1929.

As the result of the anti-Semitic measures in Germany beginning in 1933, immigration into Palestine rose sharply again in that year, reaching a second high peak in 1935 of 64,147. The riots and disturbances of 1936 resulted in a sharp drop in immigration that year when only 28,990 immigrants were admitted into the country. The following is a tabulated summary of the authorized immigration into Palestine from September 1920 to the end of 1936, as published in the Palestine Royal Commission Report (p. 279):

<u>Recorded Immigration.</u>		
<u>Year.</u>	<u>Jews.</u>	<u>Non-Jews.</u>
1920 (September-October) .....	5,514	202
1921 .....	9,149	190
1922 .....	7,844	284
1923 .....	7,421	570
1924 .....	12,856	697
1925 .....	33,801	840
1926 .....	13,061	829
1927 .....	2,713	882
1928 .....	2,178	908
1929 .....	5,249	1,317
1930 .....	4,944	1,489
1931 .....	4,075	1,458
1932 .....	9,553	1,736
1933 .....	30,327	1,650
1934 .....	42,359	1,784
1935 .....	61,854	2,293*
1936 .....	28,727	1,944**
1937	15,257	
*Of these 903 were Arabs.		
**Of these 675 were Arabs.		

It has been estimated that between 1922 and 1936 the population of Palestine expanded from 752,048 to 1,336,578,

"representing

"representing an increase of 78% which was probably the highest rate of increase of any country in the world during the period" (Great Britain and Palestine 1915-1936, p. 61). During the same period the Jewish population increased by no less than 343%. According to the same authority which has been quoted, "at least 40% of this remarkable increase in the population of Palestine in the past fifteen years is accounted for by immigration".

The Palestine Royal Commission recommended the replacement of the principle of economic absorptive capacity by that of a political high level of Jewish immigration. Its general recommendation in respect of immigration reads as follows:

"In view of the foregoing considerations we advise that there should now be a definite limit to the annual volume of Jewish immigration. We recommend that Your Majesty's Government should lay down a 'political high level' of Jewish immigration to cover Jewish immigration of all categories. This high level should be fixed for the next five years at 12,000 per annum, and in no circumstances during that period should more than that number be allowed into the country in any one year. The political maximum having been fixed the High Commissioner should receive instructions to the effect that he may use his discretion to admit immigrants up to the maximum figure, but subject always to the economic absorptive capacity of the country."

In the official British statement of policy issued at the time of the publication of the Royal Commission's Report, it was announced that, as an interim measure,

steps



steps would be taken to prohibit any land transactions which might prejudice the scheme of partition and that "a total Jewish immigration in all categories of 8,000 persons shall be permitted for the eight months period August 1937 to March 1938, provided that the economic absorptive capacity of the country is not exceeded".

A letter from Dr. Weizmann, President of the Jewish Agency, when transmitting to the British High Commissioner in Palestine, under date of May 4, 1938, the annual memorandum on the development of the Jewish National Home in Palestine during 1937, recalled that:

"The decision evoked strong protest throughout the Jewish world and was the subject of considerable discussion at the sessions of the Permanent Mandates Commission and the League Council in the autumn of 1937. The Mandates Commission regarded the measure as a 'departure from the principle sanctioned by the League Council that immigration is to be proportionate to the country's economic absorptive capacity'. The representative of the United Kingdom at the League Council, Mr. Anthony Eden, explained that the measure was a 'purely temporary' one, designed to meet 'temporary and exceptional conditions'. The resolution finally adopted by the League Council recalled the assurances given by the representative of the United Kingdom on the subject of immigration and emphasized that the mandate approved on the 24th July 1922 was to remain in force until otherwise decided."

However, in accordance with the recommendations of the Royal Commission, a revised immigration ordinance was published in the Palestine Gazette of August 21, 1937 (as amended on November 11, 1937).

Under

Under the immigration ordinance previously in force, immigrants were divided into categories:

- A. Persons of independent means;
- B. Orphans, religious occupational persons and students;
- C. Persons assured of employment; and
- D. Dependents of permanent residents or of immigrants.

The Commission found that, inasmuch as only immigrants in category C had been subject to an annual numerical limitation, the Palestine administration had retained control over only about one-fourth of immigrants into Palestine. In 1935, for example, no less than 61% of immigration had been in the category of dependents to which no numerical limitations were applied.

The new ordinance granted to the High Commissioner unfettered discretion to prescribe the maximum number of immigrants to be admitted during any specified period, as well as within any category. In accordance therewith, the maximum aggregate number of immigrants was established for the period August 1, 1937, to March 31, 1938, at 9,600, distributed into the following categories:

Persons of independent means .....	250
Orphans .....	10
Religious occupational persons .....	250
Students .....	1,440
Persons assured of employment .....	2,320
Dependents .....	4,570

On March 14, 1938, the British Colonial Secretary

announced

announced in the House of Commons the extension for a further period of twelve months of those provisions of the immigration ordinance empowering the High Commissioner to prescribe the number of foreigners to be admitted into Palestine as immigrants during any specified period. The prescriptive powers given the High Commissioner under the ordinance, however, were extended only for a period of six months, namely, from April to September 1938, leaving open for later consideration the procedure to be adopted after that date. The Colonial Secretary declared that "there is considerable force in the contentions which have been submitted in favor of the more generous admission, on economic grounds, of persons of independent means and, on grounds of humanity, of ... wives and children of immigrants". It was added that "with these considerations in mind, and with a view to diminishing the element of arbitrariness which is involved under present temporary arrangements while at the same time avoiding any considerable change in the total rate of immigration in the immediate immigration period" it had been decided to fix the quotas as follows:

- A. Persons of independent means with a capital of 1,000 pounds .....2,000
- B. Orphans and persons of religious occupations .....None
- Students .....Unlimited
- C. Persons assured of employment .....1,000
- D. Dependents:
  - 1. Wives and children .....Unlimited
  - 2. Parents, et cetera ..... 200

According to confidential information furnished the

American

American Consul General in Jerusalem by the Deputy Commissioner for Migration, the new immigration regulations were expected to result during the six months period April 1 to September 30, 1938, in an immigration of approximately 7,300 persons or an increase of some 22% over the previous six months period, distributed as follows:

A. Persons of independent means with a capital of 1,000 pounds .....	1,200
Dependents of above .....	1,800
Pensioners, agriculturists and their dependents .....	50
B. Students .....	1,500
C. Persons assured of employment .....	1,000
Dependents of above .....	1,150
D. Dependents:	
1. Wives and children .....	600
2. Parents, et cetera .....	200

1,450

On this general subject, it is pertinent to note the attitude of the British Foreign Office toward increased Jewish immigration into Palestine as conveyed informally and confidentially on two occasions in November, 1937, to a member of the American Embassy staff in London by Mr. Rendel, at that time head of the Eastern Department of the Foreign Office. On those occasions, Mr. Rendel expressed the view that increased immigration of Jews into Palestine might lead to a "major military operation in the Near and Middle East" owing to the rising resentment of the Moslem world toward the Palestine question.

It was Mr. Rendel's opinion that Palestine could not possibly

possibly support a much larger population. He pointed out that the Jewish question was a world problem and even under the most favorable circumstances that country could only help with a minute fraction of it. In that connection he remarked that it was asking too much of Great Britain alone to meet the problem. Was it not more reasonable, he added, to suggest that the United States open its doors and allow the Jews to settle there? He thought that an increase of one percent in the American immigration quota "would do vastly more to relieve the sufferings of the Jews in Central Europe than anything conceivable in Palestine".

From these two conversations with Mr. Rendel in November, 1937, the Embassy reported gaining the impression that, with the increasing Anglophobia of the Arabs, it was possible that Great Britain might be forced into the position of regarding representations on behalf of the Jews mainly in terms of the effect they might have, if complied with, in advancing Fascist ambitions in the Near East at the expense of Great Britain.

Far from gaining the impression that the British Government would welcome representations from the United States on the subject of the political aspects of the Palestine problem, the Embassy observed that, on the contrary, it had been implied that the British Government would dislike and might even resent receiving from the

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United States or any country such representations. The Embassy added that:

"Indeed, the Foreign Office, in going to such pains to explain the situation may very well be actuated by the hope that the Department will appreciate the difficulties which confront Great Britain and the Empire in connection with the proposed Jewish state and the extension of immigration, and will, in consequence, not press the British Government further in the matter."

The Embassy, however, emphasized that its observations, of course, were applicable only to the possible reaction of the British Government if approached on the political aspects of the Palestine question, including that of immigration, but were not applicable, obviously, to questions involving the rights of the United States Government and its citizens as embodied in the American-British Convention of December 3, 1924, concerning Palestine.

Great pressure has been brought to bear, in the past, upon this Government, both by Christian organizations and more especially by Jewish Zionists for the use of our good offices with the British Government looking to the facilitation of Jewish immigration into Palestine and for our intervention in the political settlement of the Palestine question. This Government, however, has consistently declined to assume formally any obligations of such a character, limiting its intervention at all times to the safeguarding of American rights and interests.

In

In a memorandum dated January 18, 1937, of the Legal Adviser's office, there was exhaustively examined the relationship of this Government to the Palestine Mandate and its express and implied obligations. That memorandum concluded that:

"It is believed that the foregoing definitely established (1) that while the Government of the United States has acquiesced in the Palestine Mandate insofar as such acquiescence is essential in determining the rights of this Government and its nationals in Palestine, the Government of the United States is not in any proper sense a party to the Mandate and has never assumed or admitted any obligation or responsibility to participate in any way in the administration of the Mandate or to question the Mandatory's administration of the Mandate except in regard to American rights; (2) that the Government of the United States has never become a party to an international obligation to establish the Jewish National Home in Palestine; and (3) that the Mandate Convention was concluded for no other purpose than to safeguard American rights in Palestine, and to insure a basis for appropriate representations to the Mandatory in the event that any departure from the terms of the Mandate should involve any injury to those rights. Any other conclusion would be definitely inconsistent with the letter and intent of the Mandate Convention, and clearly repugnant to the invariable policy of the Government of the United States."

The principles thus enunciated have been consistently maintained by this Government in all the official representations made on the subject of Palestine. Even in their absence, the propriety of our intervention in respect of the political settlement of that problem would be open seriously to question owing to the divisions existing among the peoples

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of the United States on the subject. Thus, there are in the United States large numbers of Americans of Arab, as well as of Jewish, descent. Moreover, American Jewry itself has come to be increasingly divided with regard to the political proposals made for the settlement of the Palestine question. Furthermore, our Christian citizenry have a very deep-seated interest in the care for and the disposition of the Holy Places in Palestine. Accordingly, any intervention of this Government in respect of the political aspects of the Palestine question could not but be unwelcome to one or another section of the American people.

In the light of the changes proposed in the report of July, 1937, by the Palestine Royal Commission, there has been recently reexamined in an exchange of correspondence with Great Britain the rights claimed by the United States in Palestine through the American-British Mandate Convention of 1924. That correspondence affirms the right of this Government to be consulted in connection with any changes in the mandate affecting American rights. It is to be noted, in particular, that the Palestine Mandate may be altered with the consent of the League of Nations but that such alterations will have no force or effect so far as concerns American rights in the absence of our specific assent.

#### Additional Note

In 1933, incident to the anti-Semitic measures in

Germany,



Germany, there was established by the Jewish Agency an organization known as the "Jewish Agency Central Bureau for the Settlement of German Jews" for the purpose of assisting and advising immigrants from Germany both before and after their arrival in Palestine. Since that time it has expended a sum of approximately £750,000 on agricultural and urban settlement and other like purposes. A large proportion of these funds were collected through the Council for German Jewry, under the chairmanship of Viscount Samuel. That Council has not only made numerous grants to the Jewish National Fund for the purchase of land but has also made available some £337,000 to the Central Bureau for settlement and training purposes, and for loans.

No. 770

AMERICAN CONSULATE GENERAL,  
Jerusalem, Palestine, November 14, 1938.

SUBJECT: Palestine Reaction to Woodhead Report and British  
"Statement" of November 9, 1938.

The Honorable

The Secretary of State,  
Washington.

Sir:

I have the honor to confirm the text of my telegram of November 12, 4 p.m., reporting regarding the reaction in this country to the Report of the Palestine Partition (Woodhead) Commission and the accompanying "Statement by His Majesty's Government in the United Kingdom" as made public simultaneously in London and Jerusalem on November 9, 1938; and to elaborate certain of the observations made therein. My telegram, with minor punctuation added, reads as follows:

"Local reaction to Partition Commission Report and British statement of policy is generally one of disappointment and positive line of action was not clearly set forth and of growing conviction that they offer no basis for compromise of conflicting Jewish and Arab demands or little hope that the Palestinian Arabs can be brought through persuasion and good counsel to call off the current revolt unless first assured that the pivotal question of Jewish immigration will be settled in their favor.

"Jewish circles are at the same time greatly relieved that no definite announcement is made of a policy which would limit

or

or crystallize the Jewish National Home program of the Balfour Declaration and Palestine Mandate. They hope to be able during the projected London conversations to prevent the adoption of any such policy and to reopen the country's doors to large scale immigration. New York Times and Associated Press telegrams portray accurately their categorical rejection of the Commission's conception of statehood and economic federalism as elaborated in plan C.

"Arab circles are jubilant that Partition is discarded and consider the British invitation to Arab rulers a notable victory for their contention that the Palestine problem can only be solved as a larger Arab and Moslem question. They cannot, however, see how effective discussions can be held in London unless the Mufti participates either in person or by representatives. They recognize him as their one outstanding acclaimed leader and hold as axiomatic both that no Arab would venture to act as representative of the Palestine Arabs except with his approval and that such approval will not be given unless satisfactory assurances as to the immigration question are first received.

"In British circles the initial reaction was generally one of intense disillusionment bordering on disgust, a word I have heard used a score of times, that their Government has again evaded obvious fundamental issues and failed to announce a clear-cut policy. They can see no hope for permanent peace unless Jewish immigration is stopped or at least drastically curtailed and the onus placed squarely on the Jews for the building up of an atmosphere of confidence without which no basis of future Arab-Jewish cooperation can exist.

"Among better informed and more thoughtful British officials and neutral observers, however, the view is emerging that a majority of the British Cabinet led by the Prime Minister and

Foreign

Foreign Secretary, while strongly favoring frank adoption of a strongly pro-Arab policy and convinced that no Jewish-Arab agreement can be reached through the projected London conversations, have compromised on the latter point with a minority view advocated by the Secretaries of War and the Colonies. That Jewish political pressure in England and the United States has influenced the majority to adopt this course of action is generally conceded, but the ultimate result, it is thought, will be the same, i.e., after failure of the London conversations, a declaration of policy supported by the Arab rulers under which Palestine will for a period of years be administered by Great Britain under a basically modified or reinterpreted Mandate.

"I concur in the view voiced generally by these latter that the Report is an able and factually helpful exposition of the administrative problem of Palestine, one which can well, with necessary modification, serve as the basis of effective cantonal (five area) administration of the country for some years pending elaboration of a basis for final settlement and termination of the Mandate."

1,2/ I do not enclose a copy of the Commission's Report, for the Department will, I assume, have received it directly from the British Embassy in Washington; but, as a matter of record and convenience of reference, there are appended official copies of the "Summary of Report" and "Statement". Nor shall I burden the present despatch with a recapitulation of the major findings of the Commission, for the Department will already have submitted its Report to careful scrutiny and study. Its conclusion, as recorded in the "Statement", is that it is "unable to recommend boundaries for the proposed areas which will afford a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States."

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The "Statement" then sets forth the British Government's conclusion that "the political, administrative and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine are so great that this solution of the problem is impracticable." Thus, Partition--as proposed in principle a year and four months ago by the Palestine Royal Commission and since repeatedly held in formal statements by responsible British statesmen to represent "the best and most hopeful solution" of the Palestine deadlock--is definitely discarded; and "His Majesty's Government will therefore continue their responsibility for the government of the whole of Palestine."

The "Statement" then voices: 1) The British Government's belief that "alternative means" can be found to meet "the needs of the difficult situation...consistent with their obligations to Arabs and Jews;" and 2) Its intention "in the first instance to make a determined effort to promote an understanding between Arabs and Jews" as "the surest foundation for peace and progress in Palestine." To this end it is proposed "immediately to invite representatives of the Palestine Arabs and neighboring states on the one hand and of the Jewish Agency on the other, to confer with them as soon as possible in London regarding future policy, including the question of immigration into Palestine." And, if these discussions "should not produce agreement within a reasonable period of time, they will take their own decision... and announce the policy which they propose to pursue."

It is, as shown in my telegram quoted above, on these key passages (and one other) of the "Statement"--commonly referred to in the Palestine press as "a statement of policy which voices no policy"--that reaction in this country has centered. The further passage in question sets forth that "as regards the representation of the Palestine Arabs His Majesty's Government

must

must reserve the right to refuse to receive those leaders whom they regard as responsible for the campaign of assassination and violence." Interpretive of this passage was a reply to a question put in Parliament on November 10 to the Colonial Secretary, Mr. Malcolm MacDonald. He is reported, in press cables, to have said: "His Majesty's Government must exercise this right in the case of the present Mufti of Jerusalem, whose record over many years makes him wholly unacceptable." He explained, at the same time, that "with regard to neighboring states, we are in communication on the matter with the Governments of Egypt, Iraq, Saudi-Arabia and the Yemen as well as Trans-Jordan"; and that Syria and the Lebanon, because under French Mandatory control, will not be invited to the discussions but will be kept "informed of any developments" through the French Government.

In elaborating the nature of local reaction I propose first to deal with this question of Arab representation at the proposed London discussions, for on its satisfactory solution depends in considerable measure the future course of events; then to touch on other matters, notably the pivotal question of immigration.

That local Arab circles welcomed the opportunity for discussion was clear from the first moment. My Arabic interpreter's first memorandum on the subject was a reflection of views he had gathered in the leading Arab coffee-houses and in private discussion. I abridge his comment as follows: "All with whom I have talked--and their friends, they tell me, feel the same way--are convinced that those passages of the Report presaging stoppage or drastic limitation of Jewish immigration and of land sales to Jews and those of the British Statement definitely shelving Partition and including immigration within the scope of the proposed London discussions are a Writing-on-the-Wall clearly foreshadowing early disaster for the Jewish National Home

policy

policy. They agree that the invitation to the Arab rulers implies not only recognition of the vital interest which the Palestine problem possesses to all the Arabs (and non-Arab Moslems) but also implies admission that a pro-Arab policy has already been determined upon by the British Government. Otherwise, they hold, it would have been worse than pointless to have extended the invitation. The only question which gives them serious concern is the exclusion of the Mufti and whether, in view of such exclusion, he and the Arab rulers will not perforce feel themselves obliged to insist on at least stoppage of immigration as a sine qua non to negotiation."

This initial reaction is confirmed by my own sources of information and by subsequent Arabic press comment. The strongly pro-Mufti "Al-Lahab" of November 10, after welcoming the decision that "Partition, the last straw that broke the Arab camel's back" has been abandoned, key-notes: "The Government should know by now that responsibility for assassination and violence lies in its own past policy and with the Jewish leaders who urged its pursuance...Did it not negotiate with the leaders of the American and Irish rebellions, and with Hitler? Why not then with the leaders in whom the Arab Nation has confidence!" The more independent daily "Falastin" of November 11 argues on similar lines, adding: "The Jews must relinquish their overweening ambition to possess our country...the Mufti is no worse than de Valera...Halifax, with his background of Indian and Moslem experience, and Chamberlain seek a reasonable solution...But MacDonald, with his background rooted in the Black Paper of 1930, and the Jewish, pro-Zionist Hore-Belisha wish first through force to reduce us to impotency." On November 12 "Falastin" continued: "Why, too, should Syria and the Lebanon be excluded? As though Trans-Jordan, which is invited, could be considered to enjoy a greater measure of independence..."

No rapprochement with the Jews is possible unless they accept minority status." On the 14th this paper headlined an appeal addressed to the High Commissioner by the Jerusalem ulama (Moslem religious leaders) that the Mufti represent them and all Palestine.

From private Arab sources, however--and with these my Arabic interpreter agrees--I have since obtained assurances that a more accommodating view is emerging, based on word received from Beirut that the Mufti is prepared and even prefers to remain off-stage if the invited delegates to the London negotiations meet with his approval and include representative Palestine Arabs (e.g., Dr. Izzat Tannous and Moussa el-Alami who are now directing the propaganda work of the Arab Bureau in London). Thus, one of these sources puts it, the Mufti could, should the negotiations prove a success, claim credit for cooperation and, should they fail, repudiate any concessions which might have been offered. All agree that we shall see no stoppage of the current Arab revolt until this question is settled, for only the Mufti could so order. Word, too, has been circulated, I am told, from the rebel leader Abdul Rahman Haj Muhammed that the insurgents will not lay down their arms until definitely assured as to the future, for they cannot yet again place trust in British bona fides.

In Jewish circles the invitation to the Arab rulers is the object of more bitter criticism than any other single element of the British "Statement". In its opening editorial of October 10 the Jewish-Agency-controlled "Palestine Post", after elaborating its major theme that "crusader mockery of the people's rights and hopes could scarcely be devised" than the Woodhead plan of Partition, calls the invitation "a two-edged sword" and suggests that "other countries no less interested and sincere" be also consulted. The General Zionist "Haaretz" welcomes discussion but "only on condition the Balfour Declaration serve as a basis"

and



and characterized the invitation to neighboring Arab rulers as "contrary to the spirit of the Mandate". The Jewish Labor Federation daily "Davar", after demanding maintenance of the Mandate, insists that, if any other solution is to be sought, it should not be "through negotiations with the Arab rulers who have no right to interfere" but with "those powers who promised to assist in building the Jewish National Home". The Jewish Farmers daily "Habecker" similarly holds that "the Arab states have no greater rights than other states members of the League of Nations" and emphasizes the "vital interest of Poland, Roumania and the United States." Similarly the independent Jewish "Palestine Illustrated News" of November 11: "They (the Arab rulers) have no right of interference in the affairs of the Jewish National Home."

3,4/ Copies of the first and last mentioned of these Jewish editorials are enclosed. Both are typical of general Jewish reaction to the Report and "Statement". Concurring in a statement issued November 9 in London by the Jewish Agency characterizing the Report as "a document which will go down in history as the most unsympathetic and un-understanding of the issue it set out to examine", the latter voices "uneasiness about the form in which the invitation to the 'Round-Table' Conference has been framed." Particular exception is taken to the inclusion among its subjects for discussion of the future policy of immigration, an action which it holds is in complete contradiction with the Mandate. And it concludes: "Let the Government know that the best solution of the Palestine problem is the carrying out of the Mandate in both the letter and the spirit."

The "Palestine Post" is even more positive on this pivotal question of immigration which it terms "the very blood and bone of the Mandate," a subject on which there can be "no equivocation or discussion." "Haaretz" reiterates in this connection the Jewish contention that the Mandate is workable, and "Habecker" is

astounded

astounded that the Arab rulers are to be permitted to discuss immigration. "Davar" urges that, before negotiations are opened, order should be restored and that meanwhile immigration be unrestricted. In London, where the Zionist General Council is meeting, Jewish leaders stress the same theme. Dr. Chaim Weizmann, President of the World Zionist Organization, is reported to have stressed in an address on November 11 that "the central theme of the immediate struggle is the question of immigration" and on November 13 that "immigration and settlement remain the two outstanding criteria in Palestine."

Even Dr. Judah Magnes, American President of the Hebrew University who is repudiated by most Jews for his moderate views, is adamant on this question. Lunching with me the day after publication of the Report he welcomed in all sincerity the effort to bring Jews and Arabs together but could see success only if the Arabs would agree to immigration that would permit an increase of the Jewish population during the next 10 years to some 40 per cent of the whole. This, in his own words, envisages an average immigration of some 30,000 a year; a figure, be it noted, which is exactly twice that of average Jewish immigration during the last 20 years. The totals today are roughly 400,000 Jews and 900,000 Arabs. He would wish them increased in 10 years to 800,000 Jews and 1,200,000 Arabs, the former largely through immigration, the latter through natural increase.

To any such doubling of the present Jewish population, no Arab, I am convinced, will ever agree; and Zionist aspirations go even farther. The motivating force of the Arabs' revolt is fear of Jewish domination. Their leaders insist, as their cardinal point, on stoppage of immigration. They might compromise, most neutral observers believe, on a figure approaching that imposed as a special measure of political expediency during the last 15

months

months, i.e. approximately 1,000 a month. To the Jews this would be, in Dr. Weismann's words, "a thin stream". In these diametrically opposed views lies the crux of the present problem. It is, of course, made even more acute by the current persecutions in Germany. That it can be solved through the projected London conversations no British official or neutral observer here can conceive.

The conclusion to be drawn from this last comment seems inescapably to be that the London conversations must result in failure. The question then arises as to what, in that event, will be the basis of the promised new British policy. That it will, as suggested in my telegram under reference, be generally pro-Arab in character--i.e. meet Arab views in the matter of drastic restriction of immigration and land sales--no British official with whom I have discussed the question during the last few days appears for a moment to doubt. On these two points, they insist, Britain's obligations towards the Jews under the Balfour Declaration have been more than fulfilled. To turn the country over to the Arabs, however, they believe would be to leave a task half done--this for the reasons ably presented in the Peel and Woodhead reports.

These British officials envisage, therefore, announcement of a policy designed to continue for a period of some years British administration of the whole of Palestine pending elaboration of a basis of final settlement and termination of the Mandate. That such administration will be along the territorial and communal lines effectively outlined in the Woodhead Report all are in agreement. They are hopeful that Arab acquiescence will be forthcoming. The Jews, they feel, must take what is offered and direct their best efforts towards the creation of an atmosphere of confidence and good will

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in which the foundations of future Arab-Jewish cooperation can be laid.

Respectfully yours,

George Wadsworth  
American Consul General.

**Enclosures:**

"Summary of Report" of the Palestine Partition Commission.  
British Government's "Statement" of November 9, 1938.  
Editorial from the "Palestine Post" of November 10, 1938.  
Editorial from the "Palestine Illustrated News" of November 11, 1938.

File No. 940.1  
GW/eh

**Distribution**

Original and 3 copies to Department of State  
1 copy to American Embassy, London  
1 copy to American Legation, Cairo  
1 copy to American Legation, Baghdad  
1 copy to American Consulate General, Beirut

Enclosure No. 1 to despatch No. 770, dated November 14, 1938,  
from the American Consulate General, Jerusalem, re "Palestine  
Reaction to Woodhead Report and British "Statement" of November 9,  
1938.

# PALESTINE

## Partition Commission

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### SUMMARY OF REPORT

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### SUMMARY

1. Only the briefest description of the main conclusions is possible in this summary.

2. In their report the Commission examine three plans of partition, A, B and C, besides certain Jewish proposals.

#### Plan A

3. In plan A, which is the Royal Commission's plan with the boundaries adjusted for purposes of defence, the figures of population and land are—

				<i>Population</i>		
				<i>Arab State (Including Beersheba sub-district)</i>	<i>Jewish State</i>	<i>Jerusalem and Nazareth Enclaves</i>
Arabs .. ..	..	..	..	485,200	294,700	221,400
Jews .. ..	..	..	..	7,200	304,900	80,200
Total population	..	..	..	492,400	599,600	301,600

<i>Land (in dunums)</i>							
			<i>Arab State (excluding Beersheba sub-district)</i>		<i>Jewish State</i>		<i>Jerusalem and Nazareth Enclaves</i>
	<i>Arabs</i>	<i>Jews</i>	<i>Arabs</i>	<i>Jews</i>	<i>Arabs</i>	<i>Jews</i>	
Citrus land ..	26,600	1,300	78,600	135,900	37,900	8,900	
Other land ..	6,981,300	35,700	3,776,100	1,004,300	1,466,700	69,900	
Total land ..	7,007,900	37,000	3,854,700	1,140,200	1,504,600	78,800	

By their terms of reference the Partition Commission are required to recommend boundaries which will necessitate the inclusion of the fewest possible Arabs and Arab enterprises in the Jewish State and vice versa.

A plan for a Jewish State in which there will be nearly as many Arabs (295,000) as Jews (305,000) and four-fifths of the land will be owned by Arabs is plainly inconsistent with this requirement, unless there is a reasonable prospect that the problem thereby created can be solved by exchange or transfer of most of these Arabs to the Arab State. It was a fundamental assumption of the Royal Commission's plan that this could and should be done. The Partition Commission find, however, that this is impossible.

Further, they find that Galilee should not anyhow be included in the Jewish State, because—

(a) The population is almost entirely Arab and the land almost entirely owned by Arabs: its inclusion would, therefore, be plainly inconsistent with the Commission's instructions.

(b) The Arabs will resist inclusion in the Jewish State by force. The use of force to compel this homogeneous body of 90,000 Arabs to accept Jewish rule cannot be justified.

(c) Even if their resistance were crushed, pacification would only be temporary and Galilee would remain a running sore in the body of the Jewish State.

The Commission therefore reject plan A.

### **Plan B**

4. Plan B (map 9) is plan A with the exclusion from the Jewish State of Galilee and the small and predominantly Arab area at the southern extremity of the Jewish State.

The Commission recommend that the latter area should be included in the Arab State, but the majority of them reject the rest of plan B, because—

(a) Galilee cannot be placed under Arab control without endangering the security of the Jewish State.

(b) Its retention under Mandatory control is open to strong objection because the Arabs of Galilee would thereby have to be denied their independence in order to ensure the security of the Jewish State.

(c) Haifa, the only deep-water harbour in Palestine, could not be included in the Jewish State without serious detriment to Arab interests. Similarly it could not be included in the Arab State without serious detriment to Jewish interests.

(d) Even with the exclusion of Galilee and the area in the south from the Jewish State, the number of Arabs in that state would still be very large, 188,000 Arabs as compared with 300,000 Jews.

(e) In the portion (excluding Haifa) of the Jewish State which runs from Haifa east to Beisan and then north to the Palestine frontier, the Arabs are in a majority, the Jews only forming 24 per cent of the population. The Commission consider that a plan of partition which brings under the political domination of the Jews large numbers of Arabs in an area where the Jews are not already in a majority, will be opposed by the Arabs and will not lead to peace.

### **Jewish Proposals**

5. The Commission reject certain Jewish proposals for the inclusion in the Jewish State of part of Jerusalem, and of certain other areas outside the Jewish State as outlined by the Royal Commission.



### Plan C

6. The majority of the Commission put forward plan C as the best they have been able to devise.

Map 10 of plan C shows Palestine divided into three parts—

- (i) a northern part to be retained under mandate ;
- (ii) a southern part (the Negeb) to be retained under mandate ;
- (iii) a central part to be divided into an Arab State, a Jewish State and the Jerusalem Enclave.

The argument for plan C is summarized thus—

(i) The northern territory cannot be partitioned without injustice to either Arabs or Jews, nor can it be handed over intact to either side.

(ii) It is impossible to hand over the Negeb to the Jews, and unfair to the Jews to hand it over to the Arabs while any reasonable prospect remains of Jewish settlement therein without prejudice to the rights of the existing inhabitants.

(iii) Both these territories must, therefore, be retained under mandate.

(iv) Only the central part, therefore, can be partitioned. Here the boundaries of the Arab and Jewish States and the Jerusalem Enclave will be identical with those in plan B except for slight changes across the Carmel Ridge, and on the Negeb boundary.

The political future of both the Northern and Southern Territories must be clearly defined so that both races may know under what form of government the inhabitants will live henceforth. The Mandate for the Northern Territory should continue in being till both races in the territory agree to ask that it should be surrendered and the territory be given its independence either as part of an existing Jewish or Arab State or as a separate Palestinian State. By "agreement" is meant that the majority of one race in the territory must agree with the majority of the other.

But Haifa and Acre can only be granted independence provided this can be done safely considering the special responsibilities of the Mandatory for the protection of the Holy Places and the new states against external aggression.

In the Southern Mandated Territory, also, no independent state should be set up in opposition to the wishes of the minority, unless the minority is so small that its wishes ought not to be allowed to prevail, and the Mandate should continue for at least ten years. The Occupied Area (explained below) will anyhow not be made an independent state if the majority of the Bedouin, assuming their numbers and territorial disposition are much as at present, object.

The Arab inhabitants of both the territories will, therefore, have a binding assurance that they cannot possibly be placed under the political domination of the Jews against their will.

The Jerusalem Enclave will, as proposed by the Royal Commission, be retained under a permanent mandate.

The figures for the land and population under plan C are—

*Arab State*

			<i>Arabs</i>	<i>Jews</i>	<i>Total</i>
Population .. ..	..	..	444,100	8,900	453,000
Land (dunums) .. ..	..	..	7,329,700	63,800	7,393,500

*Jewish State*

Population .. ..	..	..	54,400	226,000	280,400
Land (dunums) .. ..	..	..	821,700	436,100	1,257,800

*Mandated Territories*

Population .. ..	..	..	502,800	157,400	660,200
Land (dunums) .. ..	..	..	6,160,200	811,500	6,971,700

*Jewish Settlement in the Mandated Territories under Plan C*

7. To control Jewish acquisition of and settlement on the land in the Mandated Territories, the Commission recommend that—

*A.—The Northern Mandated Territory*

(i) The Mandatory should be empowered to prohibit the transfer of land to any person in any part of the Mandated Territories, and in Galilee should immediately prohibit the transfer of land by a non-Jew to a Jew, but not Jewish residence.

(ii) After ten years this prohibition should be reviewed but not withdrawn or relaxed unless Arab opinion favours such action.

(iii) Haifa and Tiberias and any other urban area approved by Government should be declared "free areas" in which the transfer of land to Jews should not be prohibited.

(iv) Elsewhere the transfer of land to Jews should be prohibited except—

(a) Transfers with Government approval for the consolidation of existing Jewish holdings, etc.

(b) Any other transfers respecting which Government are satisfied that—

(1) there are possibilities of closer settlement on the land ;

(2) adequate provision has been made for the resettlement of the cultivators ;

(3) save where Government are satisfied that conditions make it impracticable, any surplus land resulting from closer settlement will be shared equitably between Jews and Arabs.

(v) Government should be prepared to spend additional sums on agricultural development and agricultural research, experiment and education. While this expenditure, funds for which it is proposed should be provided by His Majesty's Government, would benefit both Arabs and Jews, its primary object would be to facilitate Jewish settlement.

(vi) Surplus agricultural land which may be made available as the direct result of such development schemes should be shared equitably between both Arabs and Jews.

#### B.—*The Jerusalem Enclave*

All these recommendations apply to the Jerusalem Enclave except that it will probably not be necessary to create a " prescribed " area such as Galilee. The urban area of Jerusalem should be declared a free area.

#### C.—*The Southern Mandated Territory*

This area should be divided into an Unoccupied and an Occupied Area, the latter being the portion which the Bedouin tribes are accustomed to cultivate, and the former the rest.

##### (i) *Unoccupied Area*

This should where necessary be declared a public domain and leases of such parts as Government think fit granted to a Jewish company for development.

##### (ii) *Occupied Area*

This should for the present be declared a prescribed area in which Jews would be prohibited from acquiring land.

The survey and settlement of this area should be undertaken as quickly as possible.

The goodwill of the Bedouin should be obtained before experiments are undertaken for the purpose of developing this area, and they should be shown that they themselves will be the first to benefit by development. When this has been done, the Jews should carry out the greater part of the experiments with Government approval.

If closer settlement should prove possible, the quantity of surplus land should be estimated in consultation with the Bedouin and the Jews.

The Bedouin, considering their exceptional poverty, should have the first claim to benefit from the improvements in order to provide them with a reasonable standard of living.

As soon as Government are satisfied that the reasonable needs of the existing inhabitants will be met, the prohibition on the Jewish acquisition of land should be withdrawn.

If the Bedouin from the outset oppose development, the experiments should be carried out by Government themselves. When the results of the experiments are available, the matter should be re-examined and it is hoped that the Bedouin will change their attitude on realising that otherwise they cannot expect money to be spent on improving their position.

8. The Commission recommend that, provided that the Arabs will co-operate, His Majesty's Government should provide funds for agricultural development within the following limits—

(i) on non-recurrent expenditure such as grants for development in whatever form in the Mandated Territories, including the Huleh concession scheme, not exceeding £1,000,000 ;

(ii) on recurrent expenditure on agricultural services, including land settlement operations in the Southern Mandated Territory, not exceeding £75,000 a year for 10 years.

*Immigration into the Mandated Territories under plan C*

9. Immigration into the Mandated Territories should be regulated thus—

(i) The rate of immigration should be decided upon political, social, and psychological, besides economic considerations.

(ii) Among intending immigrants from outside Palestine and Trans-Jordan preference should be given to Jewish immigrants.

(iii) Persons of whatever race habitually residing in the rest of Palestine and Trans-Jordan should be free to enter the Mandated Territories for short or casual visits but not to reside habitually therein without Government permission. Permission to reside habitually should be granted to such persons within the limits of an "intra-Palestinian" quota, with preference to Arabs wishing to leave the Jewish State.

(iv) Article 4 of the present Mandate should not be reproduced in the new Mandate, but before fixing the immigrant quota the Mandatory should consult with representatives of both Arabs and Jews and with experienced opinion independent of Government and both races.

*Budgetary Prospects under Plan C*

10. The Royal Commission proposed that the Jewish State should make a subvention to the Arab State. The Partition Commission think that such a stipulation would be unwise and likely to provoke resentment. They doubt whether it could prudently be made the foundation of a permanent settlement.

The forecasts of revenue and expenditure show that on the existing standards of administration and without making any provision for defence the budgetary prospects under plan C will be—

- (i) For the Jewish State a surplus of about £P.600,000.
- (ii) For the Arab State (including Trans-Jordan) a deficit of about £P.610,000.
- (iii) For the Mandated Territories a deficit of £P.460,000.

The financial position of the Arab State will be no better under any conceivable plan of partition. It is only the Jewish contributions to tax-revenue that have enabled Palestine to balance its budgets.

The Commission cannot therefore recommend boundaries which will afford a reasonable prospect of the eventual establishment of a self-supporting Arab State. If partition is carried out Parliament must be asked to provide the necessary financial assistance from United Kingdom funds. A capital payment of £2,000,000 as proposed by the Royal Commission is not recommended. If assistance takes the form of a direct subsidy, financial control will be necessary, and the Arab State could not then be called self-supporting. The United Kingdom must also provide the means of balancing the Mandated Territories' budget, including the proposed cost of development. Altogether partition would cost the United Kingdom say £1,250,000 annually, whereas the Jewish State would have an annual surplus of say £600,000, excluding the cost of defence in either case. The result would be much the same under any conceivable plan of partition.

*Customs and Tariffs under Plan C*

11. (a) The Arab State cannot survive economically without access to the markets of the Mandated Territories for the sale of its agricultural produce. Access to the Jewish State also, although not essential, would be advantageous.

(b) If the Jewish State is to provide employment for additional immigrants in large numbers it must expand industrially and it cannot do so without an assured market larger than can be provided within its own territory. It must therefore have an outlet for its manufactures in the Mandated Territories. An outlet in the Arab State also, although not essential, would be advantageous.

(c) The interests of both states demand that the three areas should constitute a single customs union, but this, though advantageous, is not essential to the Mandated Territories.

(d) A customs union would give the Jewish State an assured market in the whole of Palestine and Trans-Jordan, and it would be reasonable to require that state in return to enter into a financial arrangement which would improve the financial position of the Arab State. Any such arrangement would tend to reduce the charges which partition must impose on the British Exchequer.

(e) But a customs union between a mandated territory and an independent state or states would create serious constitutional difficulties. His Majesty's Government could not be expected to approve a scheme which would deprive them of the right to insist on changes in the fiscal policy of any member-state which they may think necessary, on revenue grounds, as a condition of their continuing to vote assistance to enable that member to balance its budget. A customs union between the Mandated Territories and the Arab and Jewish States would therefore be impossible except under conditions which would be inconsistent with the grant of fiscal independence to those states.

### Conclusion

12. Apart from political considerations, the question whether partition is practicable or not concerns chiefly finance and economics. Taking into account the latter considerations, the Commission conclude that if they were to adhere strictly to their terms of reference, they would have no alternative but to report that they were unable to recommend boundaries for the proposed areas which will give a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States.

But they do not believe it would be in accordance with the wishes of His Majesty's Government or with the public interest that they should end their enquiry with a purely negative conclusion.

They therefore put forward a suggestion for a modified form of partition, which they call economic federalism. Under this both states would be required, as a condition of the surrender of the Mandate, to enter a customs union with the Mandated Territories in which the fiscal policy would be determined by the Mandatory after consulting both states. The customs revenue would be collected by the Mandatory, and the net surplus after meeting certain common charges would be distributed between the three areas according to an agreed formula, subject to periodic review. The Commission suggest that initially each area's share should be one-third. To enable the Arab State to balance its budget without

subjecting it to external financial control, it should receive a supplementary share out of the share of the Mandated Territories, under conditions which will entitle it to share in any expansion of customs revenue resulting from an increase of prosperity in the rest of Palestine. This arrangement could be extended, if desired, to cover internal communications—railways, posts and telegraphs—thus removing certain obvious administrative difficulties consequent on partition. While this arrangement withholds fiscal autonomy from the Arab and Jewish States it seems to the Commission, subject to certain reservations, to form a satisfactory basis for settlement, provided His Majesty's Government are prepared to accept the very considerable financial liability involved.

*Note of Reservations by Sir Alison Russell*

In a note of reservations Sir Alison Russell, while agreeing that plan A is unacceptable, considers that plan B is preferable to plan C.

He holds that a Jewish State of the small size proposed in plan C is not in accord with the obligations to the Jews.

He agrees that the financial position of the Arab State under plan B is much the same as under plan C, and that under plan B there is no reasonable prospect of the eventual establishment of a self-supporting Arab State.

*Note of Reservations by Mr. Reid*

In a note of reservations Mr. Reid, while agreeing that plan C is the best that can be devised under the terms of reference, considers that both plans B and C are impracticable. He classifies his reasons under the following heads: (a) absence of consent, (b) absence of equity, (c) absence of security, (d) dismemberment of Palestine, and (e) absence of solvency.

Enclosure No. 2 to despatch No. 770, dated November 14, 1938,  
from the American Consulate General, Jerusalem, re "Palestine  
Reaction to Woodhead Report and British "Statement" of November 9,  
1938.

## PALESTINE

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### Statement by His Majesty's Government in the United Kingdom.

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1. The Royal Commission, presided over by the late Earl Peel, published its report in July, 1937, and proposed a solution of the Palestine problem by means of a scheme of partition under which independent Arab and Jewish States would be established while other areas would be retained under mandatory administration. In their statement of policy following upon the publication of the report His Majesty's Government in the United Kingdom announced their general agreement with the arguments and conclusions of the Royal Commission, and expressed the view that a scheme of partition on the general lines recommended by the Commission represented the best and most hopeful solution of the deadlock.

2. The proposal of the Commission was framed in the light of the information available at the time, and it was generally recognised that further detailed examination would be necessary before it could be decided whether such a solution would prove practicable. This proposal was subsequently discussed in Parliament and at meetings of the Permanent Mandates Commission and the Council and the Assembly of the League of Nations, when His Majesty's Government received authority to explore the practical application of the principle of partition. A despatch of December 23rd, 1937, from the Secretary of State for the Colonies to the High Commissioner for Palestine, announced the intention of His Majesty's Government to undertake the further investigations required for the drawing up of a more precise and detailed scheme. It was pointed out that the final decision could not be taken in merely general terms and that further enquiry would provide the necessary material on which to judge, when the best



possible partition scheme had been formulated, its equity and practicability. The despatch also defined the functions and terms of reference of the technical Commission who were appointed to visit Palestine for the purpose of submitting in due course to His Majesty's Government proposals for such a detailed scheme.

3. His Majesty's Government have now received the report of the Palestine Partition Commission who have carried out their investigations with great thoroughness and efficiency, and have collected material which will be very valuable in further consideration of policy. Their report is now published, together with a summary of their conclusions. It will be noted that the four members of the Commission advise unanimously against the adoption of the scheme of partition outlined by the Royal Commission. In addition to the Royal Commission's scheme, two other schemes described as plans B and C are examined in the report. One member prefers plan B. Two other members, including the Chairman, consider that plan C is the best scheme of partition which, under the terms of reference, can be devised. A fourth member, while agreeing that plan C is the best that can be devised under the terms of reference, regards both plans as impracticable. The report points out that under either plan, while the budget of the Jewish State is likely to show a substantial surplus, the budgets of the Arab State (including Trans-Jordan) and of the Mandated Territories are likely to show substantial deficits.

The Commission reject as impracticable the Royal Commission's recommendation for a direct subvention from the Jewish State to the Arab State. They think that on economic grounds a customs union between States and Mandated Territories is essential and they examine the possibility of finding the solution for the financial and economic problems of partition by means of a scheme based upon such a union. They consider that any such scheme would be inconsistent with the grant of fiscal independence to the Arab and Jewish States. Their conclusion is that, on a strict interpretation of their terms of reference, they have no alternative but to report that they are unable to recommend boundaries for the proposed areas which will afford a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States.

4. His Majesty's Government, after careful study of the Partition Commission's report, have reached the conclusion that this further examination has shown that the political, administrative and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine are so great that this solution of the problem is impracticable.

5. His Majesty's Government will therefore continue their responsibility for the government of the whole of Palestine. They are now faced with the problem of finding alternative means of meeting the needs of the difficult situation described by the Royal Commission which will be consistent with their obligations to Arabs and Jews. His Majesty's Government believe that it is possible to find these alternative means. They have already given much thought to the problem in the light of the reports of the Royal Commission and of the Partition Commission. It is clear that the surest foundation for peace and progress in Palestine would be an understanding between Arabs and Jews, and His Majesty's Government are prepared in the first instance to make a determined effort to promote such an understanding. With this end in view, they propose immediately to invite representatives of the Palestinian Arabs and of neighbouring states on the one hand and of the Jewish Agency on the other, to confer with them as soon as possible in London regarding the future policy, including the question of immigration into Palestine. As regards the representation of the Palestinian Arabs His Majesty's Government must reserve the right to refuse to receive those leaders whom they regard as responsible for the campaign of assassination and violence.

6. His Majesty's Government hope that these discussions in London may help to promote agreement as to future policy regarding Palestine. They attach great importance, however, to a decision being reached at an early date. Therefore, if the London discussions should not produce agreement within a reasonable period of time, they will take their own decision in the light of their examination of the problem and of the discussions in London, and announce the policy which they propose to pursue.

7. In considering and settling their policy His Majesty's Government will keep constantly in mind the international character of the mandate with which they have been entrusted and their obligations in that respect.

Enclosure No. 3 to despatch No. 770, dated November 14, 1938, from the American Consulate General, Jerusalem, re "Palestine Reaction to Woodhead Report and British 'State' of November 9, 1938.

## PALESTINE POST

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EDITOR. GERSHON AGRONSKY

November 10, 1938.

Heshvan 16, 5699.

Ramadhan 17, 1357.

### **Nothing Drastic, Nothing Decided**

Feelings of relief and disappointment will be nicely balanced on reading His Majesty's Government Statement and the summary of the Partition Commission Report. Relief that nothing drastic has been proposed will be mingled with distress that there is nothing decided and therefore nothing gained. Apart from the scrapping of partition which will cause genuine grief to the not inconsiderable number of people who have clutched at the promise of a Jewish State as the ripening of their most devout hopes, we are back where we were before the workability of the Mandate was brought into question by the Royal Commission. And while the restoration of the Mandate — and what else can it be? — is a fact of transcending importance, it is impossible to escape a feeling of disillusion at the processes by which this notable turn in events has been reached. The "death" of partition has been an open secret for some time, but the manner of its murder is only now revealed. For nearly eighteen months the British Government adhered to the view that the proposal of partition offered "the best and most hopeful solution." Yet no less categorical is the present statement that "the proposal to create independent Arab and Jewish States... is impracticable."

The conclusion that it is "impracticable" is the Partition Commission's—a commission of officials and ex-officials who though their task was to recommend ways of implementing partition discovered a multitude and variety of reasons for destroying it. In this regard, if in very few others, the Partition Commission Report, which vies in bulk with that of its more distinguished predecessor, took a leaf out of the Royal Commission's own book; for was not the Peel Commission sent to recommend ways of carrying out the Mandate and did it not end by condemning it as an instrument incapable of being worked? We do not know whether there are many precedents for such flouting of terms of reference as seems to be peculiar to Commissions deputed to weigh our problems and measure our woes, but it is not the least of the hardships which we must endure.

And such being the procedure there will be nothing but relief that the degrading proposal of the Partition Commission as enshrined in Plan "C" was still-born. The relief that Jews are not to be fobbed off with something so despicably niggardly as the Chairman and one other member of the Commission saw fit to throw to them will be shared by decent men the world over; and little wonder that His Majesty's Government seems grateful enough to have been furnished with so excellent a reason for dropping such a partition proposal into the well of oblivion it so richly deserves. Crueller mockery of a people's rights and hopes could scarcely be devised than a plan which would confine the Jews to a narrow strip between Tel Aviv and Tantura, with a tiny sector to the south of Jaffa thrown in for measure—good or ill, depending on the view of the charitableness and imagination of Sir John Woodhead and one or two of his colleagues. That the discarding of this Lilliputian scheme owes more to the fact that without Jews there would be no way of making either the proposed Arab or "British" areas self-supporting than to the grotesquely miniature dimensions in which Jews were to be confined as in a concentration camp, will not mitigate the bitterness over the cavalier manner with which it was proposed Jewish rights and needs should be disposed of.

### **MEANWHILE**

Those Arabs who are resentful of any rights statutorily accorded to Jews will have reason to gloat, both because Jews are for the time being not to have a state and perhaps even more because the kind of a "state" conceived by responsible Englishmen as fit for Jews was but a travesty of the name and a caricature of the original plan. But in celebrating their victory it would be well for them to remember that it is their poverty of vision and enterprise which has contributed so largely to the foundering of the partition proposal or any hopes of an improvement on it. It is the fact, more perhaps than any other, that an Arab State, be its expanse as generous as this poor country's narrow confines can make it, must be doomed to stagnation and dereliction which has moved the Partition Commission to pronounce against partition. If this sobering reflection does not cause Arabs to accept the Jewish hand outstretched in friendliness and cooperation and peace, there can be scant hope for the Arabs or for this country.

In the meanwhile the sum total of months and months of study and deliberation is — postponement. Many things in this country have been left for too many years until it was too late. And unless there is some haste now we are again on the horns of a terrible dilemma caused by delay. If it is back to the Mandate — and what else can it be? — there should be the utmost clarity on that point. His Majesty's Government in continuing "their responsibility for the Government of the whole of Palestine" can no longer allow drift to be its policy. The governing of a country

Report. Relief that nothing drastic has been proposed will be mingled with distress that there is nothing decided and therefore nothing gained. Apart from the scrapping of partition which will cause genuine grief to the not inconsiderable number of people who have clutched at the promise of a Jewish State as the ripening of their most devout hopes, we are back where we were before the workability of the Mandate was brought into question by the Royal Commission. And while the restoration of the Mandate — and what else can it be? — is a fact of transcending importance, it is impossible to escape a feeling of disillusion at the processes by which this notable turn in events has been reached. The "death" of partition has been an open secret for some time, but the manner of its murder is only now revealed. For nearly eighteen months the British Government adhered to the view that the proposal of partition offered "the best and most hopeful solution." Yet no less categorical is the present statement that "the proposal to create independent Arab and Jewish States... is impracticable."

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Enclosure No. 4 to despatch No. 770, dated November 14, 1938, from the American Consulate General, Jerusalem, re "Palestine Reaction to Woodhead Report and British "Statement" of November 9, 1938.



J. CHASIN, Editor.

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Jerusalem, November 11, 1938

## The Round Table Conference

IN the course of a preliminary statement on the report of the Partition Commission which was issued on Wednesday night, a document which will go down in history, as the most unsympathetic and un-understanding of the issue it set out to examine, The Jewish Agency for Palestine said that the Commission broke up the existing National Home, and abolished the Balfour Declaration and the Jewish National Home provisions of the Mandate as far as nineteen-twentieths of Western Palestine were concerned. The Jewish Agency therefore stated that there could be no question of the Report serving as a basis for negotiations with the Government, and as for the Government's invitation to a round-table conference, it could not be a party to discussions other than on the basis of the Balfour Declaration and the Mandate.

Despite the Government's assurances that it will keep constantly in mind the international character of the Mandate with which it has been entrusted and their obligations in that respect, one cannot help feeling some uneasiness about the form in which the invitation to that "Round-Table" Conference has been framed, for it stands in direct conflict with both the spirit and the letter of the Mandate and its international obligations. Where, one may ask, is there any mention of the Arabs of the neighbouring States in the Mandate? They have no right of interference with the affairs of the Jewish National Home, nor do they in any document appear as parties to the international obligations which Great Britain has assumed, to safeguard the interests of the non-Jewish population in Palestine. The Government further intends consulting the representatives of the neighbouring Arab States on its future policy of immigration. Is not that in complete contradiction not only with the Mandate but also with the findings of the Permanent Mandates Commission which regards the absorptive capacity of the country as the only criterion for immigration, dubbing the "maximum political level" as a temporary expedient only? Are now the Arabs to be allowed to gauge its height?

It will be remembered that the Jewish leaders expressed their readiness for friendly discussions with the Arabs more than a year ago. It was then claimed by the Government that no good could be foreseen from such talks. Now after a year of stress and turmoil, murder and bloodshed, the Government evidently regards the Arab-Jewish relations to have improved sufficiently enough for friendly talks. Let the Government know that the best solution of the Palestine problem is the carrying out of the Mandate in both the letter and the spirit.

JR

GRAY

London

Dated November 25, 1938

Rec'd 9:28 a.m.

Secretary of State,  
Washington.

1356, November 25, 1 p.m.

In Parliament yesterday Malcomb Macdonald said he hoped that the London conference with Jew and Arab representatives on Palestine would start if **not** before Christmas, at the latest early in January.

KENNEDY

RR

November 23, 1938

Mr. Welles.

Rabbi Wise, Chairman of the United Palestine Appeal, states that he has today received information from London leading him to hope that the Prime Minister or the Ministry for Colonies will tomorrow announce in Commons that irrespective of the outcome of the Arab-Jewish Conference in January that Great Britain will grant admission into Palestine immediately of 5,000 children up to ten or twelve years of age; 8,000 young persons and 10,000 relatives of Jews already in Palestine, and perhaps additional refugees from Germany up to a total of 100,000. Rabbi Wise stated that if such permission were granted the United Palestine Appeal and Jews already in Palestine would be in a position to finance the settlement of the persons to whom admission was granted.

Thus it would seem premature to make any statement to press until the British Government has made public announcement.

## AN EMPIRE SOLUTION FOR PALESTINE.

(From Our Jerusalem Correspondent.)

There has been no lack of solutions offered for a settlement of the pressing problem created by the Arab and Jewish claims to Palestine, but one of the latest which has the merit of bold originality has been outlined to your Jerusalem Correspondent by a well-informed and thoughtful Englishman residing here. He maintains that, as the situation in Palestine is affecting the prestige not only of Great Britain, but also of the whole of the Empire, quite apart from questions of Empire communications, a satisfactory conclusion should be sought in consultation with Empire authorities.

In order to allay Arab fears of Jewish domination and to meet their demands that no further immigration or land sales should be allowed, he suggests that only a "Token State" in Palestine might be given to the Jewish people, and, in return for their relinquishing their other claims, various parts of the Empire could be opened to large scale Jewish immigration. Such Jewish settlers might be granted Empire status with a "Token State" in Palestine, as a part of the Empire recognized as their National centre.

### CONFLICTING PROMISES.

It cannot be denied, said this observer, that promises have been made to both Arabs and Jews which are entirely conflicting in their nature. Indeed, even Article 2 of the Palestine Mandate, which provides for "the establishment of the Jewish national home ... and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion," would seem to be a contradiction in terms.

Coupled with the clash of racial interests per se in this country, it must be admitted that recent international developments have clearly shown that the time is past when peoples can be coerced or compelled into accepting political régimes which they hold as repugnant. It is doubted whether lasting peace would ever be brought about in the Holy Land if the present policy is maintained, no matter how many British bayonets there are to enforce law and order. Moreover, in the event of an international conflict, Imperial communications such as the route to India, the free passage



of the Suez Canal, and the Iraq oil pipe-line, might become seriously jeopardized, and vital Empire interests would be placed in hazard.

#### CRITICAL DILEMMAS.

Arabs and Jews individually have their critical dilemmas, perhaps more cruel and insistent than the actual racial conflict. The Arab people are genuinely apprehensive of being overwhelmed by a mass Jewish settlement in Palestine, and of losing their civil and political rights. The Jews, on the other hand, urgently need a concrete migration solution to relieve the tremendous pressure exerted in certain European countries, and they have thus fastened upon the hope of salvation in Palestine from a practical no less than a sentimental viewpoint.

The Arabs are willing to give the Jews a statutory minority position in Palestine, while the Jews, even though they are aware that Palestine is physically incapable of solving the entire Jewish problem, refuse to accept his Arab offer for sentimental and obvious political reasons.

To reach a suitable compromise, both peoples must be prepared to relinquish their extremist ideas. The Arabs must yield a small territory, or indeed a part of Palestine is already in undisputed Jewish possession, and this would become a "Token Jewish State" with Arab assent. There would thus be no question of the Arabs granting the Jews a minority status, but of agreeing to a tract of land, comprising, for example, the city of Tel Aviv and environs, together with the stretch of coastland as far as Athlit, being partitioned from the rest of Palestine, and in which the Jews would have full autonomy.

In return for recognition of this "Token State," the Arabs would eventually obtain full independence in the remainder of the country, subject to British interests being safeguarded on a treaty basis, with only certain sections reserved as British Mandatory enclaves.

#### IMMIGRATION INTO THE EMPIRE.

Under this proposal, it would become incumbent upon the British Empire to provide a solution to the problem

of

of Jewish migration, and there could thus be made available for the Jews a considerably larger territory than comprised in the whole of Palestine.

The issue should be regarded as of sufficient importance, not only from the point of view of prestige, but also because of the necessity to safeguard Empire communications, for consultations to be held with the heads of Dominion Governments and Colonies themselves. Obviously this is a major problem on which minor officials are not competent to decide.

In the past, there has been a tendency for Empire representatives to express good will towards the settlement of Jews in their territories, but to hesitate when asked to commit themselves to a definite quota. If, however, they could now regard the whole problem as of Empire significance, it is felt that something could be done to settle Jews in reasonably large numbers. (GREAT BRITAIN AND THE EAST, OCTOBER 27, 1938.)

TRIPPLICATE

No. 730

Warsaw, October 15, 1938.

Subject: Transmitting Aide-Mémoire on Jewish  
emigration prepared by Mr. Zabolynski,  
head of the new Zionist organization,  
and his observations on Palestine.

STRICTLY CONFIDENTIAL FOR THE PRESIDENT AND THE SECRETARY

The Honorable

The Secretary of State,  
Washington, D.C.

Sir:

I have the honor to refer to my cable no. 160,  
August 30, 12 noon, and to report that during a recent  
visit from Mr. Zabolynski, leader of the Zionist Revisionist  
Movement, and his local representative Dr. Schechtmann,  
he confidentially imparted in effect the following.

Well-founded information had led him to look for  
Britain to shelve the plan envisaging a partition of  
Palestine. Now, however, the British Government is taking  
under consideration an alternative scheme envisaging a  
national parliament in Palestine with representation in  
proportion

proportion to the various nationalities. This scheme prescribed that the specific weight of the Jewish population was to remain unchanged. This obviously spelled no further Jewish immigration. Moreover, such a scheme would mean that the Jews would have to accept a minority position within the framework of a state.

In terms of western Palestine the Jewish population amounted to no more than 30 percent - and in terms of the entire Trans-Jordan - 30 percent or less. In his opinion the danger from the long-term Jewish outlook in connection with the partition scheme had rested in the possibility that certain elements amongst the Jews might have favored it. In the case of the presently considered scheme however, it would certainly meet with universal Jewish disapproval.

Confidential reports from London had indicated that Lord Halifax might be expected to support the new scheme, while Mr. Malcom MacDonald might be expected to disapprove it. There was still doubt as to Prime Minister Chamberlain's views, however, it was safe to assume he might be inclined to side with Lord Halifax. At this point Mr. Zaborzynski stated that what he considered to be a general tendency to skepticism upon all matters not directly affecting British vital interests was a dangerous force and bore watching.

In the opinion of Mr. Zaborzynski, the aforementioned scheme was preposterous from the standpoint of Jewish interests. His only consolation at the moment was his feeling that it would provoke universal Jewish disapproval.

He

1/ He then read and handed me an "aide-memoire", a copy of which is attached, stating that he had already discussed its contents with officials of the Polish Government who had promised immediate serious consideration thereof. He added that no doubt the Government would confer with me on the subject in the near future.

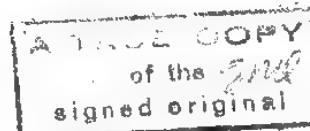
In response to his inquiry as to whether it might help the Jewish case if he and several associates were to proceed to Washington to pay their respects to the President, I stated that I did not believe that this was the time to do so. I was well aware that both the President and Secretary and their associates as well as Mr. Taylor, Mr. Roublee and their associates were studying the problem with the most profound interest in a search for a solution. Moreover, their sympathetic interest in the problem had certainly not diminished, although the rapid succession of European political events had served to over-shadow temporarily, the importance of the Jewish problem from the standpoint of world press attention.

In conclusion Mr. Zabotynski remarked that the serious concern of his associates and himself had been engaged by a reported anti-Semitic wave in Prague. Since Czechoslovakia's "let-down", the Czechs had shown an inclination to skepticism towards all factors in which they had hitherto believed and were tending to "take it out" on the Jews.

Respectfully yours,

A. J. Drexel Biddle, Jr.

Enclosure listed on next page.



Enclosure:

1/ Copy of "side-memoirs"  
submitted by Mr. Zabotynski.

840.1  
AJDB/emq

(In triplicate)

Two copies sent to Ambassador Kennedy, London.

enclosure no. 1 to despatch no. 730 of October 13, 1938  
from the Embassy at Warsaw, Poland, on subject of  
Transmitting Aide Mémoire on Jewish emigration, prepared by  
Zabotynski, head of the new Zionist Organization and his  
observations on Palestine.

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C O P Y

To H.E. the American Ambassador in Warsaw

A I D E - M É M O I R E

by the Warsaw Office of the New Zionist Organization

October 10, 1938.

1. At a moment when Zionism and Jewry are facing  
an extremely threatening situation, the N.Z.O. intends to  
urge the Polish Government (as well as other Governments  
of Eastern Europe) to adopt a plan of action set out herebelow.

The most essential feature of this plan is the  
suggestion that Poland (eventually also other Governments)  
should forthwith approach the American Government asking  
it to initiate that action.

At the same time, a Jewish delegation should be sent  
to Washington for the same purpose.

2. The gist of the initiative should be:

To convene, during the winter 1938/9, a Congress  
of Governments for the purpose of finding "a territorial  
solution to the world-problem of Jewish migrations."

The last few words are put in inverted commas to  
preclude any attempt at distorting that purpose. It must  
be clear from the start that the aim of the Congress is  
not to discuss the inner affairs of any independent State,  
nor to press for admission of "refugees" or any other form

of

of renewed dispersion of such Jews as have already become homeless, but exclusively to look for an exhaustive and permanent solution of the problem as a whole - namely, compact colonisation of a definite area under Jewish Commonwealth status.

3. It must also be made clear from the start, firmly and inviolably, that while any territory seriously sponsored as suitable will be seriously considered, the first concrete business of the Congress will be to examine the possibilities of Palestine and to formulate desiderata which could be submitted to the mandatory for Palestine.

4. The H.Z.O. intends to lay before the Congress of Governments the following "Palestine Emergency Scheme" for the immediate landing in Palestine of about one million Jews, within a period as short as the technical conditions of transfer will permit (probably 1 - 5 years):

(a) An international Commission to assist the Mandatory and advise the Jewish colonising authority.

(b) A rough plan for the initial employment of the settlers.

(c) An international loan (probably coupled with an internal Jewish loan) to be guaranteed by Palestine's Custom revenue.

(d) A Jewish garrison composed of trained ex-soldiers.

(e) The carrying out of the Scheme presupposes the convocation of a World-Jewish National Assembly to form the colonising authority and raise funds.

5. To make this action possible, Poland as member of  
the



the League of Nations should refuse its consent to any change in the status of Palestine likely to undercut that country's value for Jewish colonization.

The U.S.A. should adopt a similar attitude with regard to any changes in the Anglo-American Palestine Agreement of 1922.

6. To prepare public opinion, the N.Z.O. will convene, as soon as technically possible after the publication of the Woodhead Commission's Report, an Elected Assembly of the Jewish populations of Poland, Rumania, Czechoslovakia, Lettland, Lithuania and other neighboring countries, which will be called upon to support the scheme outlined in 4.

It is suggested that the Assembly be convened in Warsaw.

The necessity of some such action, in the interest of all concerned, is by now too obvious to need any explanations.

Nor does it seem necessary to explain why such importance is attached to America's support, especially after President Roosevelt's recent initiative which, though frustrated at Bryan, still retains all its dynamic possibilities.

What may, however, still require some additional emphasis is the urgency of the problem, the question of "tempo" - the reason why the N.Z.O. which in 1935 suggested a "Ten Year Plan", now proposes to condense its essence into an accelerated "Exodus" on the lines (mutatis mutandis) of the Greek refugees' transport in 1923.

We live at a period when, in politics, long-term undertakings have become exceedingly unpopular. However complicated the problem, it is no use to suggest a solution

stretching

stretching over more than the very next couple of years; hardly any government would assume obligations running "so far ahead". This is most unfortunate as quick solutions are often bound to prove ephemeral; but the demand for speed is so powerful that we must comply with it.

On the other hand it cannot be denied that events nowadays move incomparably faster than before. In particular, the world has already seen 1,300,000 Anatolian refugees transferred to Greece within a few weeks, and economically absorbed within a few years (1923-1927). There are, of course, essential differences between Greece and Palestine, but it is obvious, in the light of that experience, that the technical feat of landing one million immigrants within 5 years or about 25-30,000 per month, is in itself quite "possible" - especially when it is indispensable.

A few remarks may also prove useful to remove the apprehension that such intervention might be interpreted as "unfriendly" towards the Mandatory power.

In this respect, the decisive fact is that Mandatory's own admission in the White Paper of July 8th., 1937, whose mildest interpretation is that Great Britain itself has found the Palestine mandate a burden and does not by any means consider its perpetuation desirable.

When such an admission is made with regard to a territory held in public trust on behalf of nearly all nations and explicitly reserved for a purpose most vitally affecting the interests of many among those nations, - it is surely the right and duty of other governments to intervene by offering  
advice

advice and assistance in order to allow Great Britain's burden to be shared or relieved without harming that purpose.

We state, with complete assurance, that this aspect of the question is by now fully realized by very large and very influential circles of British public opinion, and that those circles are fully prepared to welcome the boldest constructive advice if coming from such an authoritative and unselfish quarter as the U.S.A. or from countries so intensely concerned as Poland and her neighbors.

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LMS

GRAY

Jerusalem

Dated November 12, 1938

Rec'd 3:40 p. m.

Secretary of State,  
Washington.

November 12, 4 p. m.

Local reaction to Partition Commission report and British statement of policy is generally one of disappointment that positive line of action was clearly set forth and growing conviction that they offer no basis for compromise of conflicting Jewish and Arab demands or little hope that the Palestinian Arabs can be brought through persuasion and good counsel to call off the current revolt unless first assured that the pivotal question of Jewish immigration will be settled in their favor.

Jewish circles are at the same time greatly relieved that no definite announcement is made of a policy which would limit or crystallize the Jewish national home program of the Balfour declaration and Palestine mandate. They hope to be able during the projected London conversations to prevent the adoption of any  
such

LMS 2-From Jerusalem, dated November 12, 1938.

such policy and to reopen the country's doors to large-scale immigration. NEW YORK TIMES And Associated Press telegrams portray accurately their categorical rejection of the commission's conception of statehood and economic federalism as elaborated in plan C.

Arab circles are jubilant that partition is discarded and consider the British invitation to Arab rule a notable victory for their contention that the Palestine problem can only be solved as a larger Arab and Moslem question. They cannot, however, see how effective discussions can be held in London unless the Mufti participates either in person or by representatives. They recognize him as their one outstanding acclaimed leader and hold as axiomatic both that no Arab would venture to act as representative of the Palestine Arabs except with his approval and that such approval will not be given unless satisfactory assurances as to the immigration question are first received.

In British circles the initial reaction was generally one of intense disillusionment, bordering on disgust, a word I have heard used a score of times, that their

Government

LMS 3-From Jerusalem, dated November 12, 1938.

Government has again evaded obvious fundamental issues and failed to announce a clear cut policy. They can see no hope for permanent peace unless Jewish immigration is stopped or at least drastically curtailed and the onus placed squarely on the Jews for the building up of an atmosphere of confidence without which no basis of future Arab-Jewish cooperation can exist.

Among better informed and more thoughtful British officials and neutral observers, however, the view is emerging that a majority of the British Cabinet led by the Prime Minister and Foreign Secretary, while strongly favoring frank adoption of a strongly pro-Arab policy and convinced that no Jewish-Arab agreement can be reached through the projected London conversations, have compromised on the latter point with a minority view advocated by the Secretaries of War and the Colonies. That Jewish political pressure in England and the United States has influenced the majority to adopt this course of (\*) is generally conceded but the ultimate result it is thought will be the same, i.e., after failure of the London conversations a declaration of policy supported by the  
Arab

LMS 4-From Jerusalem, dated November 12, 1938.

Arab rulers under which Palestine will for a period be administered by Great Britain under ■ basically modified or reinterpreted mandate.

I concur in the view voiced generally by these latter that the report is an able and factually helpful exposition of the administrative problem of Palestine, one which can well, with necessary modification, serve as the basis of effective cantonal (five area) administration of the country for some years pending elaboration of a basis for final settlement and termination of the mandate.

WADSWORTH

LMS:NPL  
(\*) Apparent omission.

KTC  
TCH

JR

A portion of this telegram must be closely paraphrased before being communicated to anyone.  
(A)

Beirut

Dated November 8, 1938

Rec'd 5:05 p.m.

Secretary of State,

Washington.

November 8, 3 p.m. (GRAY)

Since the release on October 14 of the Department's statement regarding Palestine and the Jewish National Home the Consulate General has received various letters and telegrams with reference to press advices from the United States reporting this and other official statements concerning Palestine situation. A translation of the first of these telegrams, from Damascus, signed by Chairman of the Committee In Syria For The Defense Of Palestine, was forwarded with my despatch No. 137 of October 29 reporting visits of delegations of Moslem and Christian Arabs and transmitting a copy of a letter which the second delegation representing the Arab Women's Federation had forwarded to President Roosevelt by mail. Translations of the remaining letters and telegrams are being sent by air mail. Originating in Beirut, Damascus, Sidon, Tripoli, Hama and Aleppo they  
are



-2- November 8, 3 p.m., from Beirut.

are obviously a part of an organized effort to counteract Zionist propaganda. Their general tone is one of protest against British policy and methods in implementing the Balfour declaration and of surprise and disappointment that the United States should appear to ignore the principles of the Arab cause in Palestine and the sympathy and support which would cause increasingly enmities in neighboring Arab countries and in more distant Moslem countries. Several emphasize the unique prestige hitherto enjoyed in the Near East and especially in Syria and the Lebanon by the United States as the actual home of many natives of these countries and as the generous sponsor of disinterested and inspiring educational activities in these countries. A few suggest the possibility of anti-American reprisals, and a considerable number of tracts have been distributed from Damascus urging a boycott of American goods. (END GRAY)

The suggestion of such a boycott has not been taken seriously by local firms handling American goods, but among the faculty of the American University of Beirut, in daily association with Arab students from leading families in Syria, Palestine, Lebanon, Iraq, Bahrain Kuwait, He (?) Sudan Egypt Trans-Jordan, there is a feeling that American economic and commercial interests  
and

-3- November 8, 3 p.m., from Beirut.

and the standing and usefulness of American institutions in these Near Eastern countries may suffer appreciably if, as is feared, an early announcement of British policy in Palestine indicating unpreparedness to make concessions to the Arabs should be associated with a feeling that the attitude of the United States may have influenced the British decision.

PALMER

WMC:RR

ROME, October 14, 1938.

No. 1109

Subject: Transmission of Summary of Article by  
the Near Eastern Situation by Italian  
Foreign Press Correspondent.

The Honorable

The Secretary of State,

Washington.

Sir:

As of possible interest to the Department, I have the honor to forward herewith a summary in translation of an article which appeared in the *POPOLO DI ROMA* and the *STAMPA*, of Turin, on October 12, 1938, signed by Antonio Lovato, Near Eastern correspondent for those two newspapers. A copy of this summary has also been forwarded to the Consulate General at Beirut.

While the Embassy has no precise biographical data on Signor Lovato, it has been noticed in the past that articles appearing under his name have

been

- 2 -

been invariably interesting while the article enclosed appears very circumstantial.

Respectfully yours,

William Phillips

Enclosure:

1. Copy of article appearing in POPOLO DI ROMA and STAMPA of October 12, 1938.

ASR:wrm:jp

800

Enclosure to despatch No. 1109 of October 14, 1938, from the Embassy in Rome.

Summary of article appearing in *POPOLO DI ROMA* and *STAMPA* of Turin on October 18, 1938.

Coup-de-Scène in the Levant: Territorial  
Revision of the Mandated Countries?  
Antonio Lovato (Near East Correspondent)

Damascus, October.

I have returned to Damascus to check up on a rumor that is circulating to the effect that France is secretly negotiating with England for the cession of Syria. I wanted to hear what various Syrians, from the revolutionary nationalists to the moderates and even the pro-Turks, had to say. Particularly I was interested in the opinions of an old patriot, who in 1916 miraculously escaped capital punishment ordered by the Turkish military court, Joseph Elissa, an expert on the background of Oriental policy.

Here is what I can reveal to the readers: France is conducting conversations with England for the cession of Syria. The officials of the French High Commission have already had consultations with their British colleagues in Palestine on technical matters involved in the modification of frontiers. Both on the part of France, who wishes to get rid of Syria, and on the part of England, who is aiming at solving the Palestine question through Syria, as we shall see later on, there is an effort to avoid any appearance of haste. The French especially are trying to let it appear that the initiative comes from the British, in order to improve their bargaining position. The British, on their part, realize this and are proceeding in a casual manner.

The Franco-British project now under study (suspended

by

by the European crisis, has now been resumed and in fact speeded up) contemplates the following arrangement:

Arab Syria will be united with Transjordan and Palestine (and with Irak perhaps later on) to form a new middle Arab state, preferably governed by a King under British (or Franco-British) protection.

The Alawi country or coastal strip of Lattachia (Laodicea) will be united with the Republic of Lebanon, which will remain France's faithful ally and protégé.

The Aleppo vilayet and Gezira to the north will, together with the Sanjak or Hatay territory, form a buffer state under Turkish influence to keep the Turks separated from the Arabs and the Lebanon Christians. This buffer state would have some 1,170 million inhabitants, mostly turks or Turcophiles.

France, on the other hand, would retain the coast territory (Lebanon and Laodicea) with a population of 1,360,000. The remainder of the present territory under French mandate, with some 1,300,000 inhabitants, including the Jebel Druse mountaineers, would be united with the new Arab state under British or Anglo-French protection.

We shall now see the respective positions of the parties concerned. France, ridding herself of the dead weight of Syria which costs her effort and bloodshed, will not only retain but strengthen her military and political position along the coast. France is despised and ridiculed by the Syrians: the fact cannot be concealed. The Levant Arabs maintain that France has no colonizing ability, consider the French officials as extremely poor administrators, greedy for lucre and night-club entertainment. With the

withdrawal

withdrawal of her officials from Syria, France would unquestionably go up in the estimation of the Levant Arabs, who have great influence over the Moslem populations of French North Africa. Aside from the hated Senegalese, the French troops inspire respect because of their strength, but the Syrians ask what good these troops are if they failed to defend the Sanjak against the Turks. Nor are the French troops spared ridicule. I, who personally am an admirer of the valor of the French soldier, was ashamed and indignant as a European when I saw a drunken French sergeant at the Olympia Casino in Damascus a few evenings ago make a fool of himself close to the table of a superior officer, amidst the derision of Syrian spectators. This is certainly no way to build up prestige; and yet, for political and military motives, German and Italian ballet troupes are not allowed in Syria and Lebanon! Finally, the Arabs, who have always been accustomed to have negroes as slaves, are offended at the presence of Senegalese or Annamite troops.

Another aspect of the question is the financial and economic side. Paris complains that too much is being spent for Syria and Lebanon. Damascus, on the other hand, complains that France exploits the mandated territories and does not give them a single penny except for military expenditures. At any rate, if France remains in Syria she will have to sustain certain expenditures which can no longer be put off if she is to retain a minimum of prestige.

By relinquishing Syria, Paris would as a matter of fact be merely pursuing the tactics of previous governments in dis-

mantling

mantling the Sykes-Picot agreements concluded during the war whereby, contrary to the promises made the Arabs, France obtained control of large Levantine territories. Clemenceau himself, for advantages in other sectors, began by relinquishing Mossul, and there were other renunciations up to the frontier revisions in 1922 to the benefit of Palestine. It is true that the French Military authorities in Syria, backed by certain patriotic colonial officials and nationalist circles in Paris, are unwilling to cede an inch of territory and would like revenge for the humiliation of the Sanjak betrayal; but it is equally true that the Paris government is being continually blackmailed by England on the European front. Finally, those French circles which favor the plan expect great direct and indirect benefits from the cession of Syria both with respect to "Arab policy" and vis-à-vis Great Britain.

As to the British, they would benefit greatly from the plan. First of all they would be able at last to fulfill their long-standing promises to the Arabs. Moreover the creation of the new state would necessarily and implicitly establish the basis for a solution of the Palestine problem in such a way as to satisfy imperial interests: namely, to have one single and loyal ally east of the Suez Canal, eliminating any danger of attack on the Canal from the east, and at the same time to guarantee the land and air route to the Indies. If England is able to bring about this united Arab state between Suez and the Tigris, she will have created a loyal and docile friend, and she can then permit herself the luxury of siding against the Palestine Jews. It must be

admitted



admitted that the Syrians like the British just as much as they hate and despise the French. Every Syrian I have approached has expressed the hope that the British would take over, since the Syrians could get along with them. The Syrians even point to the difference between the depreciated Syrian currency, guaranteed by paper francs, and the Palestine currency which, despite the depreciation of the pound, is nine times higher: and this is no negligible consideration for people who believe firmly in the power of gold. The French count their pennies in the bazaar, the British spend freely.

The British also expect another advantage. If, sooner or later, Irak participates in this new Arab state, it will take the reins, and Irak is a British instrument. Moreover, the British are afraid that the Kurds, who represent only one-third of the population but almost the entire army of Irak, will take the upper hand politically and set up a Kurdish regime in Bagdad, which in practice would signify union with Turkey, to the obvious peril of the British oil fields at Kirkuk. The alarm and reaction of the British at the time of Bakr Sidky's coup-d'etat is instructive. England therefore is trying to strengthen the "Arab" state of Irak as far as possible, and the guarantee of an Arab, and therefore anti-Turkish, Irak would be helped by the union of that country with the other Arab countries.

As to the Palestine Jews, the argument is as follows: while a half million Jews are considered too many for a million Arabs in the present Palestine, a half million Jews will

represent

represent an acceptable percentage in an enlarged Palestine of three million Arabs. From what we have heard, the Arabs would agree to an autonomous Zionist unit, guaranteed by England, within the confines of an enlarged Syria. This unit would have no right to diplomatic representation and its immigration would be limited. The Jews would thus be sacrificed to a certain extent, but would certainly be better off than they are now. The "City" Jews, whose interests are bound up with those of the Empire, will be the first to approve.

As to the Syrians themselves, their patriots have always championed a Great Syria and still consider Palestine "Southern Syria", as their maps attest. The population of Aleppo and Gezira, on their part, harbor pro-Turkish sentiments. It is, in any case, a historic and geographic fact that while Aleppo gravitates spiritually and commercially toward Turkey and Alexandretta, Damascus gravitates toward the south. The Had-jas railway, which once continued as far as Medina, centers at Damascus; the trade of the real Syria moves toward the south and east; and there are 30,000 Syrian women who have married in Palestine and Transjordan.

This is accordingly all one family, with the exception of the corrupt and treacherous politicians of Damascus. There is a bigger difference and a greater political, racial, and economic distance between Damascus and Aleppo than between Damascus and Jerusalem or Naplus. The Syrian ultra-nationalists will unquestionably be reluctant to give up the coast region, but it is the Lebanese and Alawites themselves who wish nothing to do with the Syrians. They will be still

more

more averse to surrendering the rich Aleppo vilayet and Gazira, but on the other hand the new buffer state to the north will serve better than anything else could to guarantee the frontiers of the new Arab state against Turkish expansion toward the south. In order to have an independent Arab country, the ultra-nationalists will momentarily sacrifice the coast region, thinking that in any case the future is in the hands of Allah and that the onmarch of the Arab state cannot be checked.

The politicians who now hold the power in Damascus against the sympathies of nine-tenths of the population are opposed to the proposal, which would place them in a weakened position and might even cost them their power. There is a question whether the Transjordan tribes or proud Palestine Arabs would submit to being governed by these politicians; probably not. And here is the problem of the new state: to determine who is to govern it and how. Internal Arab difficulties on this point will not be easy to solve. Moreover, once they are solved, Mother England will have to consider the views of the countries neighboring upon her last-born child: namely Saudi Arabia, which is always an imponderable, Turkey, and Egypt, these last two having great national ambitions involving certain expansionist aspects. It is said that England has already sounded out Ibn Saud, proposing territorial compensations. She is said also to have obtained the support of Egypt, whose King - potentially the future Caliph - would be granted precedence over the King of Syria, who would be almost like a vassal and might be - mark this point - a relative

of

of the King of Egypt. Finally, it should be noted that any territorial revision in the mandated countries demands not only time and careful study but also the consent of the powers sitting on the Mandates Commission along with England and France.

The aspirations of the Arabs to unity have been greatly stimulated by recent events in Europe in connection with "self-determination." The analogies drawn by the local press do not hold, since here there is no strong Arab state which can be compared with Germany to demand and bring about unification nor is there any distinct national conscience: there are only individualisms, nationalisms which run counter to the idea of Arab unification. It is ridiculous, for example, to speak of a united Pan-Arab feeling among the Transjordan or Irak tribes, who would lose no time in slaughtering each other if left to their own devices. If a Pan-Arab unification comes about, it will be due more to the will of one strong Arab state than to the free consent of all the Arab peoples.

We do not mean by this that it is impossible to create the Greater Syria. This is not a question so much of an-Arabism as of "an" Arab nationalism. It is a question of reuniting territories divided by the mandate; and this revision may be close at hand, even though laborious. France and England are unwilling to show it, but they are in a hurry to bring this scheme about.

JR .

GRAY

Beirut

Dated November 3, 1938

Rec'd 9 a.m.

~~LC~~  
TCA

Secretary of State,

Washington.

November 3, 10 a.m.

Beirut, Damascus and other Lebanese and Syrian manifestations on the occasion of anniversary of Balfour declaration were kept well under control by the authorities and involved no American citizens so far as the Consulate General is aware although successive press advices of recent Washington pronouncements with reference to Palestine and the Jewish national home have been regretfully received in Moslem and Christian circles alike and have aroused considerable anti-American feeling among students and other Arab nationalist elements which Beirut authorities considered sufficiently serious yesterday to warrant the maintenance, without any request on the part of the Consulate General, of detachments of gendarmes at the entrances to the Consular premises and in neighboring streets. Despatch follows.

PALMER

WTC:HTM

TCA.

FS

This telegram must be closely paraphrased before being communicated to anyone. (B)

London

Dated October 24, 1938

Rec'd 10:25 a.m.

Secretary of State,

Washington.

RUSH

1236, October 24, 2 p.m.

FOR THE SECRETARY OF STATE.

My 1223, October 21, 1 p.m.

I had a talk with MacDonald. He has received the report on Palestine and is taking it up with his colleagues this afternoon. He has agreed with the Foreign Office that just as soon as he and his colleagues have discussed it it will be given to me for your attention, so you won't read about it some morning in the newspapers.

He told me they expect to have the report together with the Government's recommendations some time immediately after the opening of Parliament.

I asked him if he could give me his general impressions even though he had not discussed it as yet and he told me he was going to definitely recommend that immigration to Palestine for the Jews not be stopped and that he thought on the whole the recommendations would be looked upon rather favorably by the Jewish people. Beyond that he

did

FS        2-No. 1236, October 24, 2 p.m. from London

did not feel able to go at this time.

He realizes the great interest in this subject in America and will keep me advised.

He thinks the tension is easing up a (\*) and hopes that conditions will improve reasonably soon.

CSE

KENNEDY

(\*) Apparent omission

DEPARTMENT OF STATE

FOR THE PRESS

OCTOBER 14, 1938  
No. 499

Within the past few days this Government has received a large number of telegrams and letters from individuals and organizations in the United States concerning the Palestine situation, with particular reference to the reported possibility of the application by the British Government of a new policy with respect to that country. It is obviously impracticable to reply separately to the many communications which have been received and this statement is therefore being issued in lieu of individual answers.

As is well known the American people have for many years taken a close interest in the development of the Jewish National Home in Palestine. Beginning with President Wilson each succeeding President has on one or more occasions expressed his own interest in the idea of a National Home and his pleasure at the progress made in its establishment. American sympathy in a Jewish Homeland in Palestine was further manifested by the Joint Resolution of Congress signed by the President on September 21, 1922, recording the favorable attitude of the United States toward such a Homeland. In submitting the resolution the House Committee on Foreign Affairs reported that it:

"expresses our moral interest in and our favorable attitude toward the establishment in Palestine of a National Home for the Jewish people. It commits us to no foreign obligation or entanglement."

It is in the light of this interest that the American Government and people have watched with the keenest sympathy the development in Palestine of the National Home, a project in which American intellect and capital have played a leading role.

On several occasions this Government has brought its views regarding the rights of the United States and its nationals in Palestine to the attention of the British Government. As recently as 1937 a formal exchange of correspondence took place and the following self-explanatory paragraph is quoted from the concluding note dated August 4, 1937, communicated by the American Ambassador in London to the British Foreign Office:

"In expressing satisfaction and appreciation for the assurances furnished that His Majesty's Government intends to keep the United States Government fully informed of any proposals which may be made to the Council of the League of Nations for the modification of the Palestine Mandate, I am instructed to request that these proposals may be communicated to my Government in ample time to enable it to determine what, if any, observations it may desire to make with a view to the preservation of American rights in Palestine."

It is expected, therefore, that this Government will have an opportunity to submit its views to the British Government with respect to any changes affecting American rights which may be proposed in the Palestine Mandate. These rights, which are defined by the American-British Mandate Convention or Treaty of December 3, 1924, comprise non-discriminatory treatment in matters of commerce, non-impairment of vested American



property rights, permission for American nationals to establish and maintain educational, philanthropic and religious institutions in Palestine, safeguards with respect to the judiciary, and, in general, equality of treatment with all other foreign nationals.

The rights of the United States in connection with any changes in the terms of the Palestine Mandate are set forth in Article 7 of the above-mentioned Treaty, which reads as follows:

"Nothing contained in the present Convention shall be affected by any modification which may be made in the terms of the mandate, as recited above, unless such modification shall have been assented to by the United States."

This article is substantially identical with corresponding articles included in eight other existing agreements concluded by this Government with respect to the mandated territories of Syria and the Lebanon, former German islands in the North Pacific, French Cameroons, French Togoland, Belgian East Africa, British Cameroons, British East Africa and British Togoland. None of these articles empower the Government of the United States to prevent the modification of the terms of any of the mandates. Under their provisions, however, this Government can decline to recognize the validity of the application to American interests of any modification of the mandates unless such modification has been assented to by the Government of the United States.

It is the Department's understanding that the Palestine Partition Commission, which was appointed some months ago to make recommendations with respect to partition, will make its report to the British Government at the end of this month and that no decision will be reached by that Government on the subject until after an opportunity has been had to give consideration to that report. In reply to a question in the House of Commons on October 6, 1938, Mr. MacDonald, British Colonial Secretary, is reported to have stated that the House of Commons would not be in the position of having to confirm or reject a decision already taken and put into operation but would have an opportunity of considering the policy before it was adopted and put into operation by the British Government.

The Department will, of course, continue to follow the situation closely and will take all necessary measures for the protection of American rights and interests in Palestine.

\*\*\*

TCA  
RBS.

REB

GRAY

London

Dated October 12, 1938

Rec'd 4:40 p. m.

Secretary of State,  
Washington.

1166, October 12, 7 p. m.

CONFIDENTIAL.

My 1161, October 11, 7 p. m.

I had lunch today with Sir Harold MacMichael who is flying to Palestine at 4:30 tomorrow morning. He thinks that the next month there is going to be terrible; after that, he has hopes. He feels that the Woodhead report must be got out as quickly as possible but, what is more important, that His Majesty's Government make up their mind just what policy they want to adopt. MacDonald is aware of this and is trying to accelerate action in the cabinet.

MacMichael said that the primary cause of the whole difficulty is the mandate as it was written. He said when it was written there were 60,000 Jews and 5 to 700,000 other races and the mandate was written as if the Jews were the dominant group and the others were just among those present, so that there is complete confusion

REB

2-#1166, From London, Oct.12,7p.m.

confusion always in the interpretation of the mandate. The bad group agitating the crowd are Syrians and the Jews are not fighting back at all, believing that to be, and as MacMichael says it is, the best policy. The brigand Arabs which are making the trouble under Syrian agitation are stirred, he thinks, by the idea that all their land was to be taken away from them and they were just to be put out in the rain. He says that regardless of what happens their attacks will probably get them something.

MacMichael struck me as a very practical hardheaded fellow who would shoot either a Jew or an Arab at sunrise regardless, if it would help solve the problem.

He thinks it is an awful mess for England to be in and he is not proud of the way it has been handled, but he is hopeful, given another month.

KENNEDY

EMB

ROW